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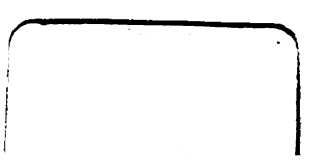

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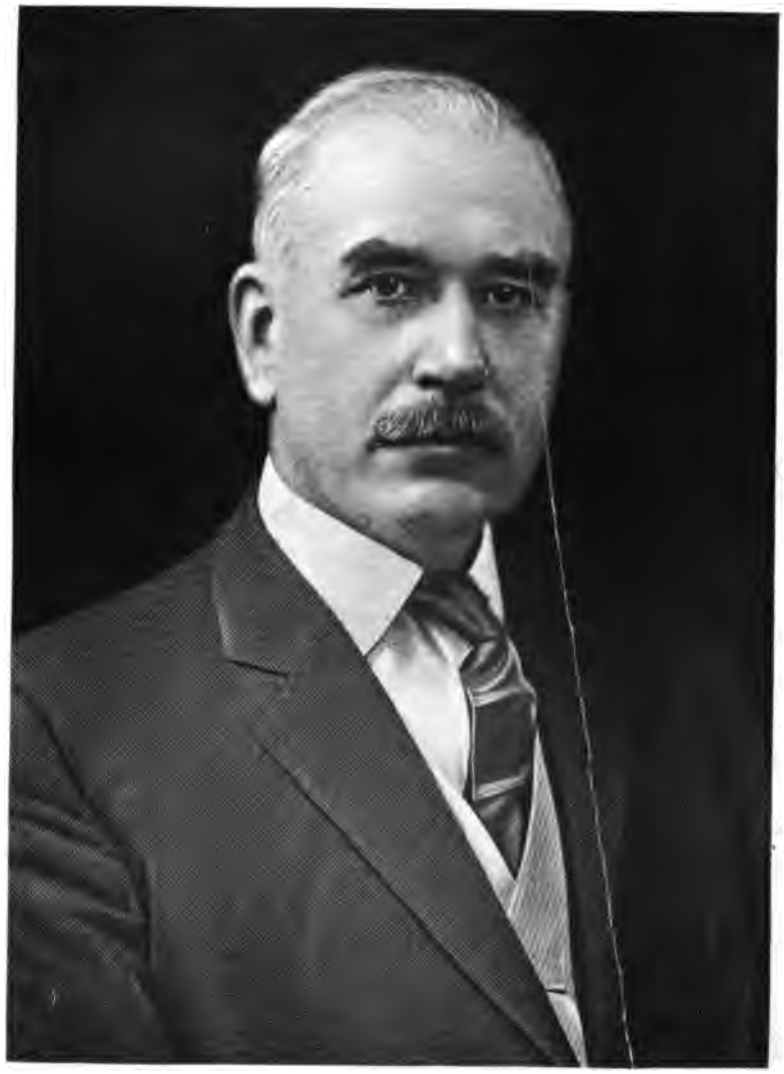

William E. Connelley

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A Standard History

of

Kansas and Kansans

WRITTEN AND COMPILED BY
WILLIAM E. CONNELLEY
Secretary of the Kansas State Historical Society, Topeka

ILLUSTRATED

VOLUME I

LEWIS PUBLISHING COMPANY
CHICAGO NEW YORK
1918

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PREFACE

This is an attempt to commence at the beginning and continue to the end in writing a history of Kansas. There has never before been an effort to elaborate the pre-Territorial events in the history of the State. The reaction on Kansas of the political conditions developed in Missouri up to the passage of the Kansas-Nebraska Act has never before been discussed in the annals of Kansas. A careful study of events will show that the destiny of Kansas was closely bound up with the political developments in Missouri for a period of nearly half a century. Many of the transactions of early times are here first brought into their proper relations in a narrative history of Kansas. Some of these are the accounts of Quivira, of Louisiana, of the Santa Fe and Oregon Trails, of the Overland commerce, of the unique Indian occupancy and the extinguishment of the primal title to the soil, of the Missouri Compromise and its repeal, and of the Provisional Government of Nebraska Territory. There are others which will reveal themselves to the student in even a cursory review. While most of these subjects have been in a way touched upon by writers—and a few of them in an exhaustive manner—they have not been before built into the structure of Kansas history.

One of the features of this work which will be hailed with satisfaction by students will be found in the Magoffin Papers. The history of Doniphan's Expedition, and, consequently, that of New Mexico, have not heretofore been capable of a full elaboration. These papers complete the record and render the explanation of the conquest of New Mexico through Kansas simple and satisfactory. They afford new light on the War with Mexico. These invaluable documents were secured from the War Department in May, 1910, after years of persistent, and, often, discouraging effort by this author—no other student having been to that time able to obtain copies of them. So far as now known, the copies herein published are the sole and only copies ever made.

In the matter of Coronado, while there are no end to the books on that subject, some of them exhaustive in character, it is maintained that this is the first attempt to make any dispassionate effort to determine the location of Quivira. This subject has not before been considered to any appreciable extent in an unprejudiced way with the Indian occupancy of Kansas of that time. The territorial possessions of the Caddoan linguistic family of North American Indians have not before had proper attention from students. This is the key to the Coronado problem. The Kansas Indians have heretofore been credited in the time of Coronado, with too great an area of what is now Kansas. In the Coronado era they possessed but an insignificant portion of the State. Their importance in this relation has always been exaggerated. Their connection with the plains country at that time was comparatively unimportant.

But the Kansas Indians gave their name to our principal river; and, through it, they gave us the name of our State. And the sig-

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nificance of that name is forever bound up with the mysticism of their conceptions of a supreme being and their relations to him. The name—Kansas—refers, without possibility of doubt, to the Wind, the South Wind, and perhaps to the Breath of Life. That it is pure Indian in its origin and its application, there is no question.

An effort has been made herein to point out the national aspects of Kansas history. Kansas had her inception in national achievement. In pre-Territorial and Territorial periods the history of Kansas is wholly of national import. The great movements of American life have touched Kansas, and have been touched by Kansas. In colonial times, in the struggle for independence, in the conquest of the Mississippi Valley, in the battle against slavery, in the Civil war, in the stand for social betterment, Kansas under some name and in some form and in some way has borne a part and exerted an influence. Her historians have been too prone to treat her history as a series of local annals and detached events without logical connection with American progress. It is to be hoped that the fertile field of Kansas nationality will be given suitable attention in the future. For in this direction lies her principal glory. Her influence on American life will be found to have been vital, far-reaching, fundamental. And if the highest traditions of Kansas are but kept in mind and insisted on by Kansas in the future this national dominance and leadership will be maintained to the permanent benefit of America—and mankind.

In every country certain interests always endeavor to distort history. Selfishness lies at the root of such efforts. And jealousy—often malice—bears a hand. Kansas has not escaped this fate. The statement of the most elemental historical facts has subjected writers to unmeasured villification and abuse from these inimical sources. Here, what the record shows to be true is set down without fear or favor.

Special attention is called to the article on Prohibition, under the administration of Governor St. John. It is the first attempt, strange as the fact is, in this great pioneer prohibition State, to examine the underlying causes of the movement in Kansas. It is a thorough and well-worked-out study of the adoption of prohibition by Kansas. And a careful perusal of it will doubtless convince the most skeptical that Kansas has permanently suppressed the liquor traffic within her borders. And more—she is leading in example and by agitation in the struggle for national prohibition. This article will prove particularly welcome to those interested in the great moral forces of the Union.

It is strange that it should fall to the lot of this history to carry the first effort to analyze the political cataclysm known in Kansas as the Populist Uprising. For that political revolution had its inception here soon after the close of the Civil war. It should have found a chronicler many years ago. Perhaps the memory of it was so fresh in the minds of the people that it was believed a written account would prove superfluous. The discussion presented here is a splendid one—scholarly and exhaustive. Every phase of the subject is treated with a keen insight into causes and results that is surprising and gratifying. The economic sources of unrest which brought the people to political rebellion are handled in a masterly manner. That article is a valuable contribution to literature, as well as to history. The emotional elements underlying all great reforms are revealed. The article is a classic, and it will live as long as mankind rises against oppression to battle for liberty.

The number of quotations given in this History of Kansas requires, perhaps, a word of explanation. They are not put in for the purpose of "padding" to reach a given size for the history of Kansas. The

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contract with the publishers called for a minimum of 300,000 words. The author could have furnished that number and have complied with his contract by so doing. But he knew that the work could not even approach completion with so small a volume. He supplied more than 900,000 words for the History of Kansas contained in the first two volumes—more than three times as many as the contract called for. The author was constrained to furnish these quotations from the old and rare authorities on the history of Kansas for more than one reason. These first books on Kansas history are now exceedingly scarce and difficult to secure. Many of the libraries even of Kansas do not have them. It will prove a blessing to these libraries if many of the essential first documents are made available through this medium. Students will find them set out here in their proper order, a convenience they will doubtless appreciate. And these original documents will enable them to form their conclusions from the first and best sources.

No one can ever be more conscious of the imperfections of this work than is the author. The history of Kansas, to be complete, can not be confined to the narrow bounds of two volumes. Adequately treated, there should be ten, and then there would be no dreary page. For there is no other history like Kansas history—it is an inspiration. But with whatever faults the book is burdened, it will be the model for the future historian by which to write the complete history of Kansas. It is on correct historical lines, and it is hoped that its mission and its aims will be found what the author intended—truth fearlessly told and justice served.

A few words regarding the biographical section, which was emphasized in the original prospectus. In that section are found the names, portraits and accounts of a great number of the people of the state. Preserving the records of families is at least as worth while as keeping record of live stock. These biographies also have a great value in interpreting the broader movements described in the general history. The truth is, biography is a most important portion of any historical effort. In the great drama of history, all play a part—more or less important—more or less significant. Some are the mere settings of the stage. Some play an insignificant part. But others—the strong men in a community or state—those who labor and achieve—these are the men who really possess and preserve the genius of a people and perpetuate to ultimate destiny the real trend of a commonwealth's progress. The combined stories of the lives of these men create and constitute, in the main, true history. They furnish a standard by which can be computed the results of combined effort in the upbuilding of states and nations.

WILLIAM ELSEY CONNELLEY.

Library Kansas State Historical Society,
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KANSAS AND KANSANS

CHAPTER I

QUIVIRA

Coronado

The conquest of the continent of North America by the Spaniards was for the most part conducted from Cuba. The expedition of Cortez to conquer Mexico sailed from Havana. In 1520 Lucas Vasquez de Ayllon was granted a royal license to explore the coasts of Florida. In pursuance of this order he sent his lieutenant Gordilla to make a preliminary voyage, whose reports were so favorable that Ayllon carried them to Spain, where he secured a royal cedula to explore and settle eight hundred leagues of the Florida coasts. In 1525 he sent out Pedro de Quexos to make a more extensive preliminary survey of the east shores of America. This expedition returned with a very favorable account of the Atlantic coast regions. In June, 1526, Ayllon sailed from Hispaniola with three ships bearing Spanish emigrants for a colony. He beat up the coasts of North America to the mouth of a stream afterwards known as the James River, into which he turned. On its wooded shores he founded a settlement which he called San Miguel, on the spot where the English afterwards built Jamestown. The Spaniards did not succeed at San Miguel. Ayllon soon died of a fever; the colonists quarreled and finally abandoned the enterprise.

The movement which led to the expedition of Coronado had its origin in the myths of "The Seven Cities." These myths were the more readily believed because of the magnitude of the spoil of the Peruvian Empire, accounts of which had spread over the whole of both Old and New Spain. It was supposed that what Pizarro had accomplished in South America might be duplicated in North America. In this relation it must be remembered that the Spaniards had not then explored the interior of the continent, and that they were in almost total ignorance of its geography, its mineral resources, its productions, its animal life, and its inhabitants.

The myth of "The Seven Cities" appeared first in Mexico in 1530. Nuno de Guzman was then President of New Spain. Attached to his estate was an Indian named Tejo, who was a native of the valley of

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Oxitipar. This Indian claimed to be the son of a trader, then dead. This trader, so the son said, had gone into the back country to barter fine feathers for whatever ornaments the inhabitants of those regions could be induced to part with. On the journey (or journeys) made for this purpose, the Indian Tejo had accompanied his father. He now told Guzman that they brought back much silver and gold, which the country produced in considerable quantities. He said, also, that he had seen in that northern land some towns as large as the City of Mexico then was. In seven of those towns there were streets given over to shops and workers in the precious metals. Those cities, he said, were far distant, and from his native valley it required forty days to reach them. For the way, he insisted, was through a barren land where no plant-life was to be seen except some desert shrubs the height of a span.

Hoping to find rich countries to plunder, Guzman organized an expedition to discover "The Seven Cities." He enlisted four hundred Spaniards and collected twenty thousand Indians with which to make conquest of those opulent countries of which he had little doubt the seven towns were the capitals. But the expedition came to nothing. The difficulties encountered in the first stages of the march discouraged the men, and discontent spread through the ranks of the adventurers. For this, and for other causes, Guzman abandoned the enterprise when he had but entered the district of Culican.

Panfilo de Narvaez was prominent in the conquest of Cuba in 1511, and settled in that island. Mexico was subject to Cuba, but Cortez threw off the authority of Velasquez. In an effort to regain and retain his power in Mexico, in 1520, Velasquez appointed Panfilo de Narvaez Lieutenant-Governor of Mexico, and directed him to voyage to that country, take possession of it, and imprison Cortez. Narvaez set out on this mission, and landed at Vera Cruz in April, 1520. On the 28th of May he met Cortez at Campoala, where he was defeated, wounded, and captured. He managed soon to regain his liberty, after which he went to Spain, where, in 1526, he secured a royal patent to conquer and govern Florida.

At that time Florida embraced all that part of North America, along the Atlantic seaboard and bordering on the Gulf of Mexico to the Rio Grande, which river was then called Rio de Palmas by the Spaniards. Narvaez made preparations for the immediate conquest of Florida. He sailed from Spain on the 17th of June, 1527. His course carried him to Cuba, where he overhauled his fleet, to which he added a vessel to replace one lost on the voyage. He then set sail for the Texas coast, but on the 15th of April he landed at Apalache Bay, having been driven from his course by a storm and the force of heavy currents. Supposing that he was not far distant from the point for which he was bound, he sent one ship back for recruits and directed the others to sail along the coast to Panuco, near the mouth of the Rio Grande.

The force of Narvaez consisted of three hundred men; and he had fifty horses. On the 18th of April he began his march through the

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forests and over the quagmires of Florida. His course was north, but he soon turned toward the west. The natives became hostile. At a large river, reached on the 15th of May, he rested, while Cabeza de Vaca, the royal treasurer of the expedition, went with a small party down to the sea to find the ships. Not a sail was to be seen along the coast solitudes, and upon the return of the party the march was continued. Another large river was encountered, and this Narvaez descended to the sea. No ships were there to greet him.

The Spaniards were discouraged. No gold had been found, and no cities for sack and plunder had appeared. They had seen only naked savages living in cane huts and in poverty. They determined to build boats in which to quit those inhospitable shores, and to keep the sea to the westward. Late in 1528, a forge was set up, and such metal as their equipment afforded was made into tools and nails. With these, five boats were constructed. They were furnished with rigging from ropes made of the long hair saved from the manes and tails of their horses. Sails were provided from their clothing and the hides of their horses. Each boat was capable of carrying forty-five men, none of whom knew much of navigation. They hugged the shore and drew westward, and about the first of November they came into the mouth of a great river whose mighty volume bore them far into the Gulf of Mexico. There two of the boats were lost, one of which was that of Narvaez, while the other carried the friars of the expedition. A great storm threw the remaining boats upon the shore beyond the Sabine in the winter of 1528-29.

How many survivors of the expedition suffered this shipwreck we do not know. Four finally reached the Spanish settlements. They were rescued on the coast of the Gulf of California in April, 1536. They had wandered in the wilds of Texas and the deserts and mountains of Northern Mexico, as we know those regions, for more than seven years. The leader of the band was Cabeza de Vaca, and the others were Maldonado, Dorantes, and a negro slave named Estevan. The route passed over by these wanderers can not now be established. How they had escaped and managed to survive they did not themselves know. They had been enslaved by savage tribes, had seen and hunted the buffalo, had acted as medicine men, had risen to influence, and had escaped from one tribe only to suffer the same routine of disaster in another. Cabeza de Vaca went on to Spain, but the others remained in Mexico. The stories of their adventures did not excite great interest, or, rather, was overshadowed by those drifting in from Peru. They were for some time the guests of the Viceroy, Don Antonio de Mendoza, who bought the negro from his master, Dorantes. Cabeza de Vaca had been given a hawk's bell, made of copper, on which was cast or carved the figure of a human face. He related some accounts of the land to the north, which caused the people to believe rich countries might be found there. And these recalled, revived, and confirmed the stories told by the trader's son, the Indian Tejo.

In the revival of the myths of "The Seven Cities" it was said that other parties from the Spanish settlements had visited the rich countries

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of the North, especially after the return of the shipwrecked wanderers. Of what they saw there, of what they reported, we are not certain. But there was a growing desire to know what those hidden regions held. Mendoza determined to find out. He sent forth an expedition commanded by Friar Marcos de Niza, who is said to have made a prior journey into that land on his own account. He had came into Mexico from Peru, where he had gone with Pizarro, and where he had witnessed the murder of Atahuallpa.

The negro Estevan was the guide of the expedition led by Friar Marcos to discover "The Seven Cities." He was well fitted for that service, for he had doubtless been near that country with Cabeza de Vaca. Approaching the borders of that land, he was directed to go on before, and to report to the friar upon his discoveries. If what he found was favorable, he was to send back a white cross as large as the palm of the hand, and if the country was better than Mexico, he was to send a larger cross. He penetrated to the Seven Cities, to which he lured the friar by sending back immense crosses. But before the arrival of Friar Marcos, the negro was killed by the Indians because of his rapacity and his lascivious conduct. He collected a quantity of turquois and demanded that women be given to him at every village.

The party, upon the death of Estevan, desired to return at once to Mexico, but Friar Marcos persisted until he dared go no farther. Then he prevailed on two chiefs to take him into a mountain, from the top of which he was able to see one of the cities of Cibola. It was set upon a hill and glittered in the desert sun. He was told that there were other cities beyond, where the people wore clothes of cotton and had much gold.

Friar Marcos returned, arriving at the Mexican settlements in August, 1539. He is said to have made what was in effect two reports—one stating what he had himself seen, and one setting out what the Indians had told him. But the people did not discriminate. It was soon spread abroad that the good friar had reported as facts all the things spoken by him. It came to be of common report that the houses of the Seven Cities were four stories high, with doors faced with precious stones. The Spanish population of New Spain were eager to go there. The principal men of the provinces, and even those in Spain, became rivals for the royal permission to explore and settle the country of Cibola. This privilege went finally to Mendoza, the viceroy, who selected the post of Compostela, on the Pacific, as the point of assembly. He appointed as commander of the expedition Francisco Vasquez de Coronado.

The force allowed Coronado consisted of about two hundred and sixty horsemen, seventy footmen, and a motley throng of Indians variously estimated at from three hundred to one thousand. This army of conquest started from Compostela on Monday, February 23, 1540, and followed the common highway to San Miguel de Culican. This march occupied about a month. The army left Culican on the 22d of April, and its general direction was northeast. Coronado, with a select com-

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pany, went on in advance. The route led them into that land embraced in Eastern Arizona, as we know the country. The Indians were alarmed at the approach of so large a force of strangers, and gave battle. They were defeated, and the Spaniards took possession of the Zuni villages on the 7th day of July, 1540. How different the reality from the golden stories which had stirred New Spain! The Seven Cities were the filthy, unlighted, unventilated, gloomy pueblos to be seen to this day on the Zuni and Moki Indian reservations in Arizona.

And so was the mystery of the Seven Cities solved, to the dismay of Friar Marcos, who stood with his countrymen in the midst of the rude mud-and-stone communal dwellings of the squalid desert tribes.

Coronado sent out detachments to explore the regions round about. One of these was commanded by Don Hernando de Alvarado, and started eastward on the 29th of August. This was in consequence of the appearance before Coronado of a chief from the province of Cicuye, said to be seventy leagues east of Cibola. The chief came, he said, in response to the invitation made generally to the Indians to come before the commandant as friends. The Spaniards called this chief Bigotes, that is, Whiskers, for he wore a long mustache. He brought presents, and he invited Coronado to pass through his country, should he desire to do so. Among the presents borne by Whiskers to the Spanish commander was the skin of a buffalo. It had the hair still on it, and this hair was a sore puzzle to the Spaniards. They could not understand how a "cow" could have such hair.

Whiskers became the guide of the expedition sent out under Alvarado, who reached the village of Tiguex on a river which the Indians called by the same name, on the 7th of September. This river was the Rio Grande, and Alvarado reported to Coronado that there were eighty villages scattered along its course. The country was much better than that of Cibola, and Alvarado advised that Tiguex be made the winter quarters for the army.

After sending back his report, Alvarado went on to the eastward five days, when he arrived at the village or communal dwelling of Cicuye. There Alvarado learned that he was on the border of the country of the wild cows. He found at Cicuye an Indian who is set down as a slave, but who was only a captive, and a native of some country far to the east, bordering evidently on the Mississippi. He was different in appearance from the Indians of the desert regions, and he resembled a Turk, from which circumstance he was called the "Turk." He was probably an Arkansas Quapaw Indian, and from the villages on the west side of the Mississippi below the mouth of the Ohio.[1] To him

[1] Under various headings in the *Handbook of American Indians,* issued by the Bureau of Ethnology it is said that the Turk was a Pawnee—"evidently a Pawnee." I have not found anything to support that view except the statements in the work above referred to. Mr. Dunbar, in his article, "The White Man's Foot in Kansas" published in Volume X, *Kansas State Historical Collections,* says in reference to this matter:

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history assigns the honor of having first mentioned Quivira to Europeans. He acted as guide on a trip Alvarado made from Cicuye to see the cows. The Spanish captain, however, lost interest in the cows and the country where they roamed. The Turk told him such wondrous tales of gold and silver to be found and to be had in Quivira that chasing the stupid and lumbering buffalo seemed a waste of time and energy that should be used in making an early conquest of the golden land. And the buffalo was not to be seen in vast herds at that season of the year. Those found by Alvarado were in scattered bunches and perhaps along the waters of the Upper Canadian.

The Turk was to play an important part in the future movements of the Coronado expedition. He must have gone with Alvarado when that captain returned to Tiguex. There, during the winter, he related to Coronado the wonders of the country of Quivira and two adjoining provinces—Arche and Guaes. In Quivira there was some silver and gold, he said, but more in the adjacent lands. It is admitted that he was a man of superior intelligence, and it is probable that when he learned that the Spaniards desired gold above all other things, he told of great store of it in these distant countries, doubtless hoping these stories would in some way turn to his own benefit. He overplayed the part which he had assumed, or which, as he later claimed, was assigned to him by the people of Cicuye, and was found to be lying, but so intent

The Turk was no doubt a native of some tribe near the Mississippi, for his description of the scene quoted from Castaneda, one of the chroniclers of Coronado's march, portrays an ordinary familiar scene upon the Mississippi River at that time; while the second writer, the Knight of Elvas, a chronicler of Soto's expedition, presents an ornate naval display on the part of the Indians before the Spanish chieftain. Though the conditions were so diverse, the underlined portions indicate essential resemblance. The two passages are as follows:

He (Turk) claimed that in his native country, where the land was level, there was a river two leagues in width, in which were fishes as large as horses, *and many canoes of great size with more than twenty oarsmen upon either side. The boats carried sails and the chiefs sat at the stern under awnings, while upon* the prow was a large eagle of gold.

The next day, the cacique arrived with *200 canoes filled with men,* having weapons. They were painted with ochre, wearing great bunches of white and other plumes of many colors, having feathered shields in their hands, with which they *sheltered the oarsmen upon either side,* the warriors standing erect from bow to stern, holding bows and arrows. *The barge in which the cacique came had an awning at the poop under which he sat.*

The absurdity of contending that the Turk was a Pawnee Indian is clearly shown by these quotations. The Turk lived on the Mississippi. If he were a Pawnee, then the Pawnee Indian country bordered on the Mississippi below the mouth of the Ohio, and the Pawnees were the Indians who met De Soto.

There is another horn to this dilemma. If the Turk were a Pawnee and the Pawnee country came down to the Kansas River about the mouth of the Big Blue, then his description of the river must be made to apply to the Kansas—something which is preposterous.

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were the Spaniards on finding another Peru that they disregarded that fact.

On the 23d of April, 1541, Coronado set out from Tiguex to find the rich land of Quivira. The Turk was the guide, and once upon the way, there remained no doubt of his knowledge of the country to be traversed. Coronado went by Cicuye, but did not stop there. He was impatient to reach the golden settlements and held steadily to the eastward. In nine days from Cicuye the army emerged on the Great Plains and saw the buffalo, then just beginning the annual migration to the north. Still the Turk pointed to the east, and the Spaniards toiled in that direction thirty-five days without a single sign of civilization to encourage them. Other Indians were found, following the buffalo herds, the Querechos and the Teyas. They were first spoken to by the Turk; and later they confirmed what he had said about Quivira. An advance guard was sent on to find the country of Haya or Haxa, described by the Turk, but no such land appeared. With Coronado was an inhabitant of Quivira, one Ysopete, who insisted from the start that the Turk was lying. At first no credit attached to what he said, but on the treeless wastes doubt of what the Turk was saying became general in the army. Upon their entry into the settlements of Cona, a portion of the country of the Teyas, the Turk was not permitted to first talk with the people. They said Quivira was in the North—or towards the North—and not in the direction in which the Turk was taking them. Then heed was given to what Ysopete had said of the Turk and his stories.

After resting in a river-bottom where there were trees—a ravine as the old writers have it—it was decided that Coronado should take thirty horsemen and "half a dozen foot-soldiers" and go on to Quivira. The remaining portion of the army was to return to Tiguex, which it did by a shorter way than that taken in the outward march. The Teyas furnished new guides, and Coronado bore to the northward. The Turk was carried along, now a prisoner, and not permitted to converse with Ysopete or the Teyas. On a day counted that of St. Peter and St. Paul in the old calendar of the Roman Church a tolerable river was found and crossed, and which was named for the day of its discovery. This river is spoken of as "there below Quivira," by which we are to suppose it was south of that land—or perhaps bounded its southern borders. It is more likely that Quivira was up the stream from that point. This river has been identified with the Arkansas by most writers, and the point of crossing, where it turns to the northeast below the present Fort Dodge, or Dodge City.

Coronado followed this river—"went upon the other side on the north, the direction turning towards the northeast." In three days Indian hunters were found killing the buffalo—"and some even had their wives with them." They began to run away, but Ysopete called to them in their own tongue, when they turned about and approached the Spaniards without fear.

Coronado was reassured. He felt once more certain of his ground. He had emerged from the labyrinth in which the Turk had sought to

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involve him. As he stood recovered there, the sense of location returned to him. And standing on the shores of the river given the holy name, reflecting doubtless on perils now safely passed, another matter occupied his attention. He weighed the fate of that Indian who had led him astray in those wilds. A judgment was determined and a death decreed. The Turk—in chains now at the rear of the army—was brought to account. Perhaps they asked him why he had deceived them. No doubt he stated his reasons like a brave man. Who shall blame him for his course? He had seen, maybe, the butchery of the revolted inhabitants of Tiguex. He evidently knew of the fate of those hundreds who had perished at the stake or had been trampled into the earth by Spanish horses after they had surrendered and had been granted peace. These strangers astride fierce animals seemed invincible. In brutality and cruelty they surpassed the barbarous Indians. They were devoid of honor. Their plighted word was worthless. To the Turk it was plain that if they came in numbers the Indians must perish or be enslaved. To avert this calamity to his people he planned to lead the strangers a devious course through deadly mazes. And now he faced the cruel Spaniard and admitted again the truth, though he knew his life was forfeit and his doom at hand. From the temper of his race we know that he was not appalled at his fate. He stood on the shores of two rivers—one seen, the other unseen. There may have been bars of tawny sand lying over beyond the shining river flowing there at his feet. Our knowledge of plains-streams might permit us to say there were water-bushes fringing its intangible shores. Up and beyond, there were the rolling, limitless prairies covered with billowy turbulent herds of wild oxen. And over all were the opalescent skies of the Great Plains, merging into a mystic shimmering haze at the horizon. And, perchance, the Turk saw these and was not moved as the garotte tightened about his throat and he was no more—"an example" to those assembled there—the first of his people to die on the soil of Kansas by the hand of the white man.

So, thus perished the Turk. He carried to Europeans the first tidings of Quivira—Kansas. He was the prey, the first Kansas victim of the brutal spirit which wrecked nations in the New World—then seeking other countries, including his own, for destruction. He was a hero. He acted only as has every patriot in the world with the fate of a people weighing on his soul. Lettered bronze and graven granite should rise in his honor on the plains he sought to save to his race.

Vengeance wreaked, Coronado continued his journey. He came into the land of Quivira. Indeed, he then stood on the borders of Quivira, but the settlements were some leagues beyond. It was a country inhabited by just such Indians as were found on the plains of Kansas and Nebraska two centuries later. They planted a little corn, but they lived chiefly by hunting the buffalo. They had no gold nor anything else a civilized man would covet. Coronado spent twenty-five days in Quivira, traversing the whole width of the land. Then he returned to

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Tiguex, using a shorter route, probably the ancient road later known as the Old Santa Fe Trail.

In writing thus far I have followed the preponderance of evidence as developed by a majority of the writers on the subject. I have not been always satisfied with the routes indicated by these students, and perhaps they were not themselves convinced that they were right in every instance. It was necessary for them to reconcile many contradictory statements found in the old Spanish chronicles—and not a few had to be rejected altogether. The boldest dissenter from their conclusions is F. S. Dellenbaugh, himself a student and explorer, and long familiar with both the topography and geography of all the country traversed by Coronado. He contends with an astonishing array of evidence that the route of the expedition lay much more to the east than it has been placed. Cibola was on the Mimbres about the present Demming, rather than at the Zuni. His location of Tiguex, it seems to me, can not be disproven, and is much lower down the Rio Grande than the generally accepted site at Bernalillo.[2]

The information which has come down to us in insufficient. By it we can not trace the old routes with certainty. Archaeology and a full knowledge of the modern geography of the Southwest and Mexico may aid us much. With all this, however, in neither the desert regions nor on the Great Plains can the trails passed over by Coronado be surely identified. But they may be approximately fixed.

The march having for its immediate object the discovery of Quivira began at Cicuye. This pueblo has been by many identified with the ruins of Pecos. If we accept Mr. Dellenbaugh's location of Tiguex, the village of Cicuye was far south of the Pecos ruin. The direction from

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[2] See his article, "The True Route of Coronado's March," in the Bulletin of the American Geographical Society, Vol. XXIX, No. 4, 1897. In his "Notes on the Location of the Tigues," he says:

Benavides spent about seven years in the Rio Grande region of New Mexico prior to 1630. He was in charge of the church missions. He was a very intelligent man, and it is proper to regard his statements as fairly accurate. He says the first villages coming up the river from Mexico were one hundred leagues south of Taos. They were Qualcu and Senecu. This is apparently the same point at which Onate placed his first villages forty-one leagues above El Paso. Fifteen leagues up the river from Senecu was Sevilleta. Then there was a blank of seven leagues. Then came the Teoas villages, evidently identical with the Tiguex of Coronado and the Tiguas of Espejo. These villages extended up the river from the first one, twelve or fifteen leagues. Then came an interval of four leagues to the next village up the river, San Felipe, which appears to be the same as the town mentioned by Onate. From San Felipe it was about eleven leagues to Santa Ana, the location of which is more easily fixed because it was about *twelve leagues east of Acoma*. Thus Santa Ana and the Emeies of Espejo seem to have been very near together. Tiguex, therefore, was *down the river* from a point twelve or fifteen leagues east of Acoma. Consequently the site assigned to it by modern writers at Bernalillo is not correct.

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Cicuye was to the east by south, coming out on the Llano Estacado, where the buffalo herds were found in such numbers. Following the buffalo were found two plains tribes, the Querechos and the Teyas, now supposed to have been the Tonkawas of West-central Texas, and the Comanches. The Turk was put forward always to speak first to these wanderers. Then they confirmed to the Spaniards what the Turk had said from the beginning. The march had deflected more and more to the south. When the halt was called at the ravine—the valley of some plains-river—it is said by most students that Coronado was in North Texas, possibly on the Brazos, the Trinity, or the Colorado. It is most likely that he was then in Central Texas. For it is confidently asserted by some accounts that he was at a village which Cabeza de Vaca had passed through in his escape from captivity.[3]

There the Teyas of Cona were questioned before the Turk was permitted to converse with them. They said that there was indeed a country called Quivira, but that it was not to be found in the direction in which they were traveling. It was in the North, or "towards the north," and to reach it the army would have to right about and change its course. It was at Cona that the Turk was thrown into chains.

The information imparted by the Teyas of Cona turned Coronado, with thirty horsemen and a few followers to the north, as we have seen. They were told that they would find no good road to Quivira, and we know that the rivers running eastward over the Great Plains had to be crossed by the army. Most writers now draw a straight north-and-south line across the map, with a ruler, from Texas to a point on the Arkansas River just west of its turn to make the Great Bend, for this march of Coronado from the Cona towns to the borders of Quivira. The authority for this is the accidental phrase "by the needle" used in describing the march.

When we come to drive down a stake and say—"To this point came Coronado"—we find it quite impossible. The information which would enable us to do this does not exist. Writers find themselves unable to agree when it comes to fixing these definite locations. They usually develop some theory of locations and routes, then try to prove that they are right. The indefinite authorities which we possess encourage this sort of writing. Here are some of the locations of Quivira:—

Bandalier places Quivira in Northeastern Kansas.

L. B. Prince says Quivira was on the Missouri above Kansas City and below Omaha.

General J. H. Simpson located Quivira on the Kansas-Nebraska line some distance back from the Missouri.

Hubert Howe Bancroft is of the opinion that Quivira was in Kansas somewhere between the Arkansas and the Missouri.

[3] Read chapters XIX and XX *Voyages, Relations et Memoires Originaux Pour Servir a L'Historie de la Decouverte De L' Amerique. Relation Du Voyage de Cibola, entrepis en 1540.* Paris, 1838. And see also the Spanish texts and translations on this point, Vol. XIV, Annual Report, Bureau of Ethnology.

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Haynes thinks Coronado crossed Kansas and reached the Platte.

Winship's judgment is that Quivira was the country about the convergence of the main branches of the Kansas River.

Hodge marks Quivira as extending from the Arkansas, near Great Bend, to the Republican, which stream he makes the east boundary of the country of the Pawnees.

Mr. Twitchell, in his *Leading Facts of New Mexican History,* copies the map of Mr. Hodge.

Dellenbaugh maps Quivira as embracing Southeastern Kansas and adjacent regions.

Houck in his history of Missouri makes a strong case for his state, insisting that the mountain ranges which rose to view on the march are the Ozarks, and that these were skirted by Coronado as he passed into Southwest Missouri.

Basket, Richey, and Dunbar agree with Winship.

Other writers insist on still other locations. There is evidence for each of these locations, and by very ingenious reasoning probability is found for most of them.

On one point writers practically agree—Quivira was in what is now Kansas. That may be taken as settled beyond question. This old Indian Country may have lapped over and spread its bounds into Nebraska or Missouri or Oklahoma, but it was mainly on the Kansas plains that it was certainly seated. The Spaniards sent other expeditions to Quivira, among them one under Onate in 1601. Some portion of the route of this trip was mapped. That this expedition found Quivira villages on the Arkansas near the present city of Wichita, there is scarcely any doubt.

If we are to believe Gregg and other Santa Fe traders when they tell of the terrible sufferings for water endured by the first parties who attempted to use the "cut off," or shorter route from the Arkansas by way of the Cimarron, we can not think it possible that Coronado marched "by the needle" from Central Texas, or any point in Texas, to the Arkansas west of the great north bend in June and July. And from Quivira, mountains could be seen to the east. This is asserted by the old chroniclers. Most modern writers ignore this fact.

If the line of march from Central Texas, or North-central Texas, was "northward" as some of the old records have it—and that would pass through a country of grass and water in midsummer—it would strike the Arkansas River thirty leagues below the Quivira towns, though these distances are always uncertain. Thirty leagues may have been really but ten or twenty leagues, and perhaps sixty or ninety leagues. No dependence can be put on these statements of distances. That it was the Arkansas River which was thus reached must be the meaning of the *Relation del Suceso.* Here is the language:

"After he had proceeded many days by the needle" [here the editor has inserted "i. e., to the north." Even with the editor's doctoring, the text does not say the march was due north] "we found the river Quivira, which is 30 leagues below the settlement. While going up the

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valley, we found people who were going hunting, who were natives of Quivira."

The river was called Quivira River, and must be the same named St. Peter and St. Paul by others, that is, the Arkansas. A fair interpretation of the language would be that Coronado struck the Arkansas thirty leagues below the Quivira towns. For they immediately started up the valley, not down the valley, as they must have gone had they crossed at the west turn of the great bend. While going up the Quivira River to the Quivira settlement they came upon the people, native Quivirans, who were there hunting the buffalo. The point where Coronado came to the Quivira River may have been at any point from the mouth of the Grand or Neosho to the mouth of the Walnut. Up the Arkansas from these regions, Quivira villages were found in 1601. They were near where Wichita now stands, and they may have extended eastward across the country to the Walnut. The only evidence except the phrase "by the needle" to support the direct north-and-south march is that the river (St. Peter and St. Paul) turned northeast below the crossing.

To locate Quivira as it surely lay in Coronado's day there must be mountains on its eastern border—mountains, not hills nor river-bluffs. And for this range we can depend only on the Ozarks. Castaneda says:

"Quivira is . . . . in the midst of the country somewhat near the mountains toward the sea. For the country is level as far as Quivira, and there they began to see some mountain chains."

The waters of the Atlantic, including the Gulf of Mexico, were at that time known as the North Sea, and these mountains were toward that sea. The hills in Butler, Elk and Chautauqua counties in Kansas, and their continuation in the present Osage country in Oklahoma, are the outlying flanking hills of the Ozarks to the west. They must be the first hills or the beginnings of "some mountain chains" which Coronado and his company saw. It is possible that Castaneda supposed the Ozarks to be the Appalachian Mountains along the Atlantic seaboard, when he said "near the mountains toward the sea."

On the west Quivira was never set in bounds. It ran over the Great Plains, but to what extent it embraced them there is nothing to tell. It may be asserted that the Arkansas River was its south boundary. And the country whose waters drain into the river from the north—down to the mouth of the Neosho or Grand—was most likely the ancient Quivira. And it may have included the prairie lands of Southwest Missouri and Northwest Arkansas. When all the accounts are considered this location of the mystic and half-mythical old land appears most probable. The preponderance of evidence is in favor of it. But this location —nor any other—can be established beyond controversy. It is one of those unfortunate historical matters not capable of complete and satisfactory settlement. The only definite thing about it is that it was in Kansas. It has persisted through all vicissitudes to attach and cling to Kansas. For years it drifted about. It was located even in Alaska. It haunted the Pacific Coast. It adorned maps of the mountains "where

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rolls the Oregon." It was seized as a name for a squalid pueblo village far down the Rio Grande. But these vagaries have vanished. Kansas is Quivira and Quivira is Kansas.

It has been determined perhaps beyond all question that the Quiverans were of the Caddoan linguistic stock of North American Indians. From the account of the houses found by Coronado in Quivira it has been determined that the Quivirans were the Indians known in modern times as the Wichitas. They lived along the Arkansas and there is no evidence that they ever did live on or along the Kansas River.

We know that the Pawnees lived on the Big Blue River. One of their oldest villages was on the site of the present Blue Springs, in Gage County, Nebraska. In Coronado's time they ranged almost to the Missouri. Du Tisne found them on the Neosho in 1719. And we may well believe they roamed to the western limits of the buffalo plains. The Kansas did not ascend the Kansas River at all until long after Coronado's day. The theorists make the Pawnees the inhabitants of Harahey, a country to the north of Quivira. This may have been the case, for the Wichitas and Pawnees are both of the Caddoan family. That there was any rigidly defined line between their countries and hunting grounds is not probable.[4] And Quivira may have embraced all the country of the Pawnees, as well as that of the Wichitas. For the Caddoan people seem to have occupied the country both north and south of the Arkansas River to the line beyond the Platte. Toward the Missouri their bounds may be defined by an irregular line from near the Mississippi and the Missouri to the Loup Country in Nebraska, should the location of Quivira as proposed in this study prove correct. But it is not to be supposed that this country was all occupied at the same time. These people occupied their country just as all Indian tribes did their domains. They lived in groups of huts along some stream and claimed a vast surrounding hunting-ground. Sometimes their claims were undisputed, but they were usually contested. Their squalid villages were always temporary, and they were moved for the most trivial causes.

Coronado spent several weeks in the exploration of Quivira. He says he reached the fortieth parallel, now the line between Kansas and Nebraska. There is no reason to question this claim. He noted the fertility of the soil and described some of the products of the country. When he was ready to return, native Quivirans—Wichita or Pawnee Indians—told him how to get back to New Mexico. They may have shown him the way. It was probably that ancient path known as the Old Santa Fe Trail, as has already been stated, but not as it was most used in later days. Water could not have been found on that route in the season of his departure. He must have gone up the Arkansas to the

[4] According to Jaramillo, Quivira and Harahey formed one country and one government,—and had a single ruler or chief. "The general wrote a letter here to the governor of Harahey and Quivira, etc." And in the same paragraph—"The general sent to summon the lord of those parts and other Indians who they said resided in Harahey, and he came with about 200 men."

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point where the trail was crossed by the great trading road which skirted the front range of the Rocky Mountains. This crossing was where Bent's Fort was afterward erected. From that point the descent to the Rio Grande could be safely made at any time of the year.

Another student, and a very thorough one, finds it impossible to accept the conclusions of the majority of writers on this subject. Rev. Michael A. Shine, Plattsmouth, Nebraska, has made an exhaustive study of the available authorities. The results of his investigations are to be found in his pamphlet, *The Lost Province of Quivira,* published in 1916. A good summary of it is contained in his letter to the author, dated May 3, 1916, from which the following quotation is made:—

The march outward of the Army was 150 leagues or 395 miles from Tiguex on the Rio Grande—i. e., 25 leagues to Pecos, 15 leagues to the Bridge over Gallinas River, 40 leagues to Querechos Settlements and 20 leagues to the Buffalo Ravine or Mustang Creek in Texas—total 100 leagues, then southeast to Red River where the 101st Meridian crosses it. 50 leagues from here the army returned home—68 leagues to Ft. Sumner on the Pecos River—32 leagues from there to the Bridge and 40 leagues from the Bridge to Tiguex—Total, 142 leagues or 8 leagues less than the outward march. (A league = 2.63 miles.)

From the Red River Coronado went straight north on the 101st Meridian—180 leagues, which brought him to the Platte River, which is just 175 leagues or 460 miles. This allows 5 leagues or 13 miles for detours and deviations in the journey north. The Platte is St. Peter & St. Paul's River.

From the crossing of the Platte at the 101st Meridian going northeast 16 days or 72 leagues or 190 miles would bring them to the junction of Beaver Creek with the Loup River—in the vicinity of the present city of Geneva. This was always, even in ancient times, the home of the Skidi or Pawnee Loups. Quivira is the Spanish pronunciation of the name of these people—Skidi-ra—or Wolf people, like Harahey—Arache and Tareque—Ariki-ra, or Horn People, who lived then between the Elkhorn and Missouri Rivers.

Coronado returned to the Platte Crossing and then went southwest to the junction of the Purgatoire river with the Arkansas in Colorado—from there still southwest to the 1st Querechos village—where they were led astray and then back on his original trace to the Bridge, etc. No astronomical observation was taken for the Latitude—it was computed as follows: 180 leagues north—over 6 degrees of latitude. (26 leagues in a degree.) They went south over 30 leagues—below the Bridge or Tiguex (the 36th degree), hence they went into the 34th degree—then north over 6 degrees brought them into the 40th degree as Coronado states.

Now the real latitude of Tiguex is the 35th degree—hence going north over 6 degrees brought them into the 41st degree—which is where I have located Quivira, and exactly where they found it.

This is a further confirmation of the position that there is not sufficient evidence in the records at hand to place the location of Quivira within exact bounds, or beyond controversy.

That Father Shine has discovered and fixed the origin of the name *Quivira* is possible. That the Skidi Pawnees lived above the Platte in 1541, however, is not established. They may have lived there then. But it is probable that they lived on the Arkansas at that time.

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Fray Padilla

The return of Padilla to Quivira may be considered a consequence of Coronado's march to the Great Plains. For he and three other Franciscans had been on that famous primal exploration. And it is to be regretted that it can not be recorded that they, or any of them raised voice or offered protest at the murder of the Turk. Let us hope the record is sadly incomplete.

This priest is usually spoken of as Fray Juan Padilla, and it is said that he was a native of Andalusia. He remained on the Rio Grande when Coronado returned to Mexico. And Fray Juan de la Cruz, a Portuguese soldier of fortune named Andres del Campo, a negro, and a half-blood negro named Louis and Sebastian respectively, and some Indians from New Spain stopped with Fray Padilla at the pueblos on the Rio Grande. In the summer of 1542 Padilla prepared to return to Quivira as a missionary to that country. Some of his company went with him, and all may have gone. The journey was made in the fall of 1542. By some accounts, they went on foot, and by others there was at least one horse taken along by them. It is reasonable to suppose that the route used by Coronado in coming out of the land was followed by Padilla and his company going in.

What Padilla accomplished in Quivira remains hidden. Some say he immediately sought the cross set up there by Coronado, and that he found the grounds about it swept and cleansed. This service had been rendered by the Indians, who doubtless regarded it as an occult object to be propitiated. It is not to be supposed that Padilla accomplished much in the work of Christianizing the Quiviras, for they murdered him shortly after his arrival. Indeed it is not certain but that they met and murdered him as he entered their towns. Others say that after a short sojourn with the Quivirans he set out for the country of the Guaes. These Guaes are set down as the enemies of the Quivirans, who could not understand how any good man could leave them to dwell with their foes. It is not improbable that they attributed traitorous designs to the good father. In any event, he lost his life trying to reach a new tribe. One account has it that he was much beloved by the Quivirans, and he left their villages against their wishes, but attended by a small company. This chronicler says that the band had proceeded more than a day's journey when a war-party was encountered, and this company of warriors murdered Padilla.

What the old writers say of Padilla is here set out, for it may be affirmed that he was the first Christian martyr in what is now the United States. Castaneda says:—

> A friar named Juan Padilla remained in this province together with a Spanish-Portuguese and a negro and a half-blood and some Indians from the province of Capothan, in New Spain. They killed the friar because he wanted to go to the province of the Guaes, who were their enemies. The Spaniard escaped by taking flight on a mare, and afterwards reached New Spain, coming out by the way of Panuco. The

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Indians from New Spain who accompanied the friar were allowed by the murderers to bury him, and they followed the Spaniard and overtook him. This Spaniard was a Portuguese named Campo.

It would appear from the foregoing that Padilla did not return to the Rio Grande with Coronado, but remained in Quivira when his commander left the plains. There is more detail in this account—

He reached Quivira and prostrated himself at the foot of the cross, which he found in the same place where he had set it up; and all around it clean, as he had charged them to keep it, which rejoiced him, and then he began the duties of a teacher and apostle of that people; and finding them teachable and well disposed, his heart burned within him, and it seemed to him that the number of souls of that village was but a small offering to God, and he sought to enlarge the bosom of our mother, the Holy Church, that she might receive all those he was told were to be found at greater distances. He left Quivira, attended by a small company, against the will of the village Indians, who loved him as their father.

At more than a day's journey the Indians met him on the warpath, and knowing the evil intent of those barbarians, he asked the Portuguese that as he was on horseback he should flee and take under his protection the Oblates and the lads who could thus run away and escape. . . . And the blessed father, kneeling down, offered up his life, which he had sacrificed for the winning of souls to God, attaining the ardent longings of his soul, the felicity of being killed by the arrows of those barbarous Indians, who threw him into a pit, covering his body with innumerable stones. . . . It is said that the Indians had gone out to murder the blessed father in order to steal the ornaments, and it was remembered that at his death were seen great prodigies, as it were the earth flooded, globes of fire, comets and obscuration of the sun.

The second paragraph of the foregoing quotation must have been written from the imagination purely. There was no white witness to the murder of the friar except possibly the Portuguese and the attendants. They are said to have observed it from a hill. It is not safe to depend on such testimony. They were fleeing for life. It is doubtful if they turned to look back while in view of the Indians. In truth, they might have themselves murdered Padilla. The account contains no sufficient motive for his murder by the Indians. The assertion that they committed the murder to secure his ornaments can not be taken seriously. And the asseveration that the earth was convulsed, comets seen, and the sun obscured, discredits the entire account. There is still another Spanish version, quoted by Davis in his work on New Mexico, as follows:—

When Coronado returned to Mexico he left behind among the Indians of Cibola, the father fray Francisco Juan de Padilla, the father fray Juan de la Cruz, and a Portuguese named Andres del Campo. Soon after the Spaniards departed, Padilla and the Portuguese set off in search of the country of the Grand Quivira, where the former understood there were innumerable souls to be saved. After traveling many days they reached a large settlement in the Quivira country. The Indians came out to receive them in battle array, when the friar, knowing their intentions, told the Portuguese and his attendants to take flight, while he would await their coming, in order that they might vent their fury on him as they ran. The former took flight, and placing themselves on a

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height within view, saw what happened to the friar. Padilla awaited their coming upon his knees, and when they arrived where he was, they immediately put him to death. . . . The Portuguese and his attendants made their escape, and ultimately arrived safely in Mexico, where he told what had occurred.

If this version of the effort of Padilla to found a mission in Quivira is correct, he was slain before he had entered the Indian town. The heavens were not rent, nor was the moon turned to blood. There is no mention of a cross, and the inference is that the priest had reached a new town—had found a village of which he had not heard before.

It is with Padilla as with the other Spaniards connected with the Coronado expedition. There is little that can be asserted with confidence. The evidence is fragmentary, contradictory, and incomplete. No certain thing can be founded on it.

The effort to have it appear that a certain monument erected of stones more or less regularly set together near the present Council Grove was erected by the Indians as a monument to Padilla cannot be sustained. That monument was probably set up as a guide-post at the opening of the Santa Fe Trail by the Missourians. General James H. Lane marked the underground railroad from Topeka to Nebraska City in 1856 with exactly such monuments as that to be seen at Council Grove. After the discontinuance of the Lane Trail these monuments were called "Lane's Chimneys." There were some of them still standing in Richardson County, Nebraska, in 1890. Their purpose had been forgotten with new generations, and their origin was attributed to the Indians. And there is not the slightest evidence that Padilla was ever in the Council-Grove regions. He may have been there, but there is no record to establish that historical fact.

HUMANA

The Coronado expedition gave the Spaniards the first claim, the prior right and title to the Great Plains. The discovery, together with the exploration of the country by De Soto, should have given the great interior valley in the heart of the continent to Spain. This it would have done had that country shown energy and persistency in its conquest and settlement. But the unusual success of Cortez and Pizarro had overwrought the Spanish common mind. Countries holding only possibilities of trade and agriculture were not at that time considered worth much, and they received little attention. The adventurers were seeking countries full of gold and silver. It was their intention to seize those commodities at all hazards, even though the lands so ravaged were utterly destroyed. The Great Plains, those "sandy heaths" covered with wild cattle and inhabited by naked savages, did not appeal to the average Spaniard. He was often ruthless and cruel in his conduct toward the Indians in such countries as he finally settled, sometimes perpetrating more atrocious murders than the savages were guilty of, as witness the action of Coronado when he burned the people of the pueblos at the stake.

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In the occupation of the country north of Mexico the priests stopped in the dead and desolate pueblos along the Rio Grande. A few Spaniards —Mexicans—came with them. The burdens imposed on the miserable Indians of the filthy pueblos were unbearable, and they were goaded into desperation. They rose and slew to the utmost. This civilization brought into the valley of the Rio Grande, nearly as barbarous as that which it sought to displace, was thrown back whence it came. It was some years before another attempt to colonize that country was made.

For many years the feeble and desultory efforts at exploration only reflected the weakness of the Spanish in New Mexico. The discoveries made by Coronado could not be continued. A few journeys were made to the plains, but they constantly diminished in strength and purpose. They were finally abandoned altogether. An empire of vast possibilities was practically forgotten in the interest of goats and burros on the deserts of New Mexico.

The first of the futile efforts to follow the grand march of Coronado was a filibustering expedition led from Nuevo Viscaya by Francisco Leyva de Bonilla and Antonio Gutierrez de Humana, in 1594. It is claimed that it was unauthorized. Bonilla was the leader. He lingered about the old pueblos a year, with Bove, the St. Ildefonso of later times, as his headquarters. Then he began his movement to the northeastward. He is said to have passed through Pecos and another pueblo, but he did not follow the route of Coronado, though it is believed he ultimately reached the same destination. A vagabond and wandering course was pursued to the eastward, many streams crossed, and large herds of buffalo encountered. Far out on the plains, Bonilla turned to the north. He probably entered Kansas somewhere about the town of Kiowa, and crossed the Arkansas in the vicinity of Wichita. There he found, no doubt, the Quivira villages visited by Coronado. About these towns there were extensive fields of corn. Three days beyond them to the north on the road which led Coronado to the Nebraska border he was murdered by Humana, who usurped command of the *filibusteros*. On that day a buffalo herd was seen which seemed to cover all the plains. After this the herds were not so large, and on the tenth day out from the Quivira towns on the Arkansas, a river was reached which was a quarter of a league wide, as remembered by the man who described the journey. It was possibly the Platte. There six Indians deserted and started back to New Mexico. Jusephe, one of the deserters, seems to have finally escaped, though he was captured by the Apaches, who kept him a year. The other deserters were lost or killed.

The narrative of this Contrabando is obscure and half-mythical, as are most of the old Spanish chronicles. By one version it appears that while the party lay encamped on the plains, "gold-laden," the grass was set on fire by the Indians. They rushed forward with the flames and massacred the entire band, except Alonzo Sanchez, whom the Indians saved, and who became a great chief among them.

The route of Humana, after he left the towns of Quivira, on the Arkansas, is a matter of conjecture. It is believed that he reached the

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Platte River. It is likely that he lost his life in the robbery of some Pawnee Indian Town. There was no good accomplished by this band, and geographical knowledge was not increased by its journey over the plains into what is now Kansas.

ONATE

The Spaniards called the pueblos on the Rio Grande the "first settlements." In the year 1601, Don Juan de Onate, being at the first settlements, determined to go on an expedition "to the interior, by a northern route and direction, both because of the splendid reports which the native Indians ware giving of this land, and also because of what an Indian named Joseph, who was born and reared in New Spain and who speaks the Mexican tongue, saw while going with Captain Umana." The force was assembled at San Gabriel, and on the 23d of June detachments began the march for the final rendezvous, the pueblo of Galisteo, which they left about the first of July.

Their route carried them across the Gallinas, and to the Canadian, which they named the River Magdalena. They descended the Canadian, finding much improvement in the country and climate as their journey progressed to the eastward. Apache Indians were encountered and found to be friendly. The river led the Spaniards out onto the buffalo plains. Sometimes the bluffs made it necessary for them to bear away from the river. Other bands of Apaches were met, but "no Indian became impertinent." The great abundance of wild plums pleased the men much. Early in August herds of buffalo appeared, and their habits are well described. Coming down from the Great Staked Plain, sand-hills turned them away from the river, and they bore north to two streams supposed now to be Beaver Creek and the Cimarron. Continuing in a northeasterly direction the buffalo increased, and some of the prairies were covered with wild flowers. Beyond these much game was seen. Oak and walnut trees were found along the streams, the water of which was cool and pleasant. A temporary village or camp of wandering Indians was found. These are said to have been the Escanjaques, later identified by some students with Kansas or Kaw Indians. Whether this identification shall be permitted to stand remains one of the problems for students of the future. It would appear that it is much more probable that they were the Arkansas Indians, who had come up the Arkansas River to hunt the buffalo. They had lodges ninety feet in diameter, covered with buffalo hides, and they wore dressed hides for clothing. They were at war with another tribe living some twenty-five miles beyond in the interior. The Escanjaques said it was their enemies who had killed Humana and his men. They supposed the Spaniards had come for the purpose of avenging those murders, and they requested permission to guide the strangers to those villages. This permission was granted, and the whites were taken seven leagues to a river with wonderful banks, and in some places so deep that vessels might have sailed on it with ease. The land was fertile

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and densely wooded along the river, which is now supposed to be the Arkansas.

The Spaniards seem to have been descending the Arkansas, for the mention of crossing smaller rivers is made. Marches totaling eleven leagues brought them to some elevations upon which appeared people shouting for war. They were, however, appeased, and they invited the Spaniards to their houses. That night the Indians of this latter village were accused of having murdered Humana and his men "surrounding them with fire and burning them all, and that they had with them one who had escaped, injured by the fire." The peculiar wording of this text makes it probable that the survivor was a mulatto woman described in Zarate's *Land of Sunshine*. This accusation was made by the accompanying Indians. The party took counsel as to what should be done, and it was determined to seize some of the Indians of the town and carry them along. Among those taken was the chief, Catarax.

The Spaniards there crossed the river at a ford, and half a league out an Indian town was found which contained twelve hundred houses, "all established along the bank of another good-sized river which flowed into the large one." The houses were those seen by Coronado in Quivira, or similar ones, and they probably stood along the banks of the little Arkansas, on the present site of Wichita, Kansas. The people had fled and the houses were vacant, though containing corn. The Escanjaques desired to burn the town, and perhaps did burn a portion of it. The country there is described as the best the Spaniards had ever seen.

Another council was held. The Escanjaques [5] and the captive Indians were questioned, and their statements agreed. Another river having six

[5] Among the first to identify the Escanjaques with the Kansas Indians was George P. Morehouse, of Council Grove. Mr. Morehouse has given the history of the Kansas Indians much attention and deep study. F. W. Hodge, of the Bureau of Ethnology, Washington, is the best authority who has accepted this identification. For Mr. Hodge's opinion I have profound respect. But it is not yet established that the Quivira towns visited by Coronado were on or near the Kansas River. I am of the opinion that the location is untenable and will soon be abandoned by students. While there is much to support that theory there is much more to condemn it. The latest writers are placing the Coronado-Quivira towns on the Arkansas River—a much more likely location. Whether they are to be finally established there, none can tell. But that they were far south of the Kansas River, I think there is no question.

Now, if the Coronado-Quivira towns were not on the Kansas River, nor near it, the Escanjaques were not the Kansas Indians. The Kansas Indians would not go so far south to hunt the buffalo. For it is conceded that they lived then on the banks of the Missouri, and north of the Kansas River. There were buffalo in their own country at that time, but probably not in such numbers as on the plains. It is doubtful if the Caddoan people, the Pawnees and Wichitas, would have permitted them to cross Quivira to hunt the buffalo, even if the Coronado-Quivira country was on the Kansas River. It is certain that the Kansas Indians did not at that time hunt on the Arkansas River.

It is in reason to believe that the Arkansas Indians, the Arkanse, came up the Arkansas River to the buffalo plains. Their location would

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or seven branches was said to be not far away. On that river many people dwelt. The Humana party had been murdered a long distance from there—"Eighteen days' journey from here." Large settlements of Indians were to be found both above and below this town, and the river at that point runs east. The Indians advised the Spaniards to stop and go no further, saying the people who had deserted their homes had gone to assemble their friends to attack the intruders and would destroy them. But the Spaniards pushed on, starting the following day. They traveled three leagues through a well settled country, and could see houses still beyond. The information that had been given them as to the hostile reception they might expect on the third day now began to impress them. Another conference was held, when it was determined to set out on the return to New Mexico.

To prevent the Escanjaques from burning the houses in the town along the Little Arkansas the Spaniards had sent them back home from that point. Now, on returning to that town the Escanjaques were found entrenched in these abandoned houses with the purpose of giving battle. The commander of the Spanish party, mounted his men on armored horses and awaited the attack of the savages, who came on to the number of fifteen hundred, if the old accounts are to be believed. And others joined them. The conflict raged for two hours. The Spaniards were driven from the field, though they claimed to have slain many of the Indians. They freed some Indian women, but retained one man and some boys. They then returned to their camp to sleep, almost all of them being slightly wounded. How they escaped we are not told, the narrative ending with the statement that "On the following day we set out, traveling with our usual care, and in fifty-nine days we reached the camp of San Gabriel, having spent in the entire journey the time from the 23d of June until the 24th of November."

An Indian was carried back and was named Miguel. It seems that he had been captured by the tribe with which the Spaniards battled. He was taken to Mexico where he found that the Spaniards wanted gold above all things. He, like the Turk and others, told them what they wished to hear. He described golden countries and drew a map of them which is still in existence. The King of Spain was wrought up by the stories told

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warrant their doing that. They were found on the south side of the Arkansas River. That river must have been the south boundary of Quivira. To reach the point where Onate found the Escanjaques they would not have had to pass through any Quivira country. Perhaps the Arkansas Indians claimed the south half or portion of the south half of the Arkansas River valley. Onate may have found them in their own country. Then, it is not certain that they were there on a hunting trip. They may then have lived permanently there. They seemed to know of the Humana expedition and the fate of the party.

The orthography of the two words, *Kansa* and *Arkansea*, goes far to prove that the Escanjaques were the *Arkansea*—not the Kansas Indians.

I maintain that the identification of the Escanjaques is not a settled matter, and that the Escanjaques are much more likely to have been the *Arkansea* than the *Kansa*.

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by Miguel and ordered an expedition of one thousand men to be sent to seek out those golden shores. The Count of Monterey was then Viceroy of Mexico, and he had no faith in the Indian's tales. The expedition was never sent out.

It may be taken as fairly well established that the battle between the Spaniards and the Escanjaques was fought in an Indian village from which the Quiviras (Wichitas) had fled. And, also, that this village stood within the present limits of Wichita, Kansas, which more than likely, was the Quivira town visited by Coronado.

Penalosa

Onate returned to New Mexico, as we have seen. It is said, that in a few years eight hundred Quivira Indians visited Onate, carrying with them a prisoner named Axtaos. It seems that the Quivirans were at war with the Axtaos tribe, and desired that Onate aid them in this warfare. The idea of seeking his aid may have originated from reflection upon the battle with the Escanjaques. The Axtaos of the Quivirans may have been the Escanjaques of the Spaniards. Perhaps the Quivirans supposed that it would be an easy matter to induce the Spaniards to engage in war with a tribe which had handled them so roughly on the plains. Finding an unwillingness on the part of the whites to again cross swords with the fierce tribe of the prairies, the Quivirans sang the old song so pleasant to Spanish ears—that of gold. They said there was gold in the interior of their country, supposing the cavaliers would set forth at once to find it. But even this siren song failed to move the Governor of New Mexico, and the Quivirans returned alone to their towns along some plains river.

There is some reason to believe that in 1634 an expedition under Captain Alonzo Vaca penetrated the plains to the River Quivira. It marched eastward more than three hundred leagues, but did not cross the river into Quivira. Very little is known of this expedition. Probably some wild tale of gold in the plains streams induced these Spaniards to brave the march from the deserts to search for it.

Of the expedition of Don Diego Dionisio de Penalosa, Governor of New Mexico from 1661 to 1664, there is a better record. This record has been condemned and discredited by some writers. If admitted it would upset the preconceived ideas of some on the location of the country—and especially the towns—of Quivira. Having fixed these towns on the Kansas River it would prove troublesome to admit as genuine any document which would make the location untenable.[6]

In the spring of 1662, Penalosa gathered his forces for the march eastward to find Quivira, the location of which remained an enigma to some extent even to the New Mexican Spanish, notwithstanding the many ex-

[6] See Bancroft's *History of Arizona and New Mexico,* P. 169. Also Houck's *A History of Missouri,* Vol. I, P. 39. The story may be a fiction, but satisfactory evidence of that fact has not been produced.

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plorations they made to that land. The expedition consisted of eighty Spanish soldiers, with six three-pounder cannon, and thirty-six carts to carry the ammunition. There were one thousand Indians, by which we may suppose there was possibly one-fifth of that number. These were armed in Indian fashion, with bows and arrows. It is said that there were eight hundred horses and three hundred mules. It is always well to view with suspicion the boasting numbers set down in any Spanish document, even though it is known to be genuine. These reports were sometimes composed by priests in the New World for the use of priestly authority in Spain, and large numbers were sometimes employed to create a favorable impression across the ocean.

In Quivira, Penalosa found the great city of Taracari. It was within eight leagues of "a very high and insuperable ridge," which was the end of Quivira. It does not appear that the Spaniards tarried at Taracari. They passed on, coming finally to a river called, by the Indians, the Mischipi. There they found the Escanjaques Indians, to the number of three thousand, assembled and armed to invade Quivira and attack its first city. The Mischipi was reached in June. The prairies were beautiful. One crop of corn was no sooner gathered than another was planted in that fertile land.

The Spaniards and Escanjaques marched together up the river, having the "insuperable" ridge of mountains on their left hand. They halted for the night in some fine prairies, and six hundred Escanjaques went out to hunt the buffalo, in which they were very successful, each returning with the tongue of a cow, and some bringing two or three tongues. The next day, after marching four leagues, the mountain range was again discovered. It was covered with signal smokes to tell of the approach of the Christian army. And coming thence to some "widespread prairies of another beautiful river," the great settlement of Quivira was found. This river came out of the mountain range to the west and united with the Mischipi.

The Escanjaques desired to destroy the Quivira settlement, and the Spaniards ordered them to remain behind and not enter it. But it seems that they crossed the river with the whites, and were with difficulty restrained from attacking the Quivirans. Seventy head-chiefs came out to meet Penalosa, bearing presents, buckskin, and fur caps, and bonnets. They were entertained by the Spaniards, who bestowed upon them some presents, but they were much disturbed when they found their white visitors in company with their avowed enemies, the Escanjaques. To reassure the Quivirans, the Spaniards gave them presents and expressed the warmest friendship for them, promising to stand by them. This pleased the Quivirans, who made further presents, consisting of furs, bread, corn, beans, pumpkins, sandpipers, turkeys, partridges, and fish. They invited the Spaniards to enter their principal settlements the next day, to do which, another river had to be crossed—a rapid river. When they departed, the commander detained two of their chiefs, who were questioned until midnight, when they lay down to sleep, as was supposed. But they arose and went over to their own city, fearing an attack there of

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the Escanjaques. Their fears were well founded, for those treacherous Indians crossed in the night and attacked the Quivirans, killing all they could and burning the city. The Spaniards crossed the river and entered the burning city shortly after sunrise, but the Quivirans had fled, believing the whites in treacherous league with the Escanjaques. The soldiers spent most of the day in arresting the conflagration and restraining their self-imposed allies. The next morning Penalosa marched two leagues through the settlement and counted thousands of houses. He halted on the bank of another river, which he found coming down through the settlement. It was observed that the much-used paths came down from the lofty range six leagues away, entering the settlement every quarter of a league. A detachment of twenty men, under Major Francis de Madrid, was sent to explore all the town, but they were unable that day to come to its outward bounds. They returned to report that the Quivirans had fled and could not be found. On the 11th of June, which was probably the following day, the Spaniards departed from Quivira and set out on their return to New Mexico.

As in all the other Spanish expeditions to Quivira, it is impossible to tell to what point Penalosa penetrated. There is no probability that he reached the Mississippi. At Fort Smith, where the Arkansas enters the Ozarks, there are many streams, and the old chronicle describes the country round about fairly well. But none can say certainly where he did actually go. The country on the Neosho, about the mouth of Spring River, is well described, and it may be that to that point Penalosa came. One thing is apparent. There never existed even in New Mexico any clear conception and definite knowledge of the location of Quivira. It was to the eastward. It was a land of plains and rivers. It was grass-covered. And it was roamed over by the wild cattle. That is most that was known by the Spaniards along the Rio Grande about Quivira.

Brower

It is necessary to notice here the work of one J. V. Brower, who some years ago came into Kansas and pretended to fix beyond question the exact spots visited by Coronado. He published three books on the transactions of Coronado. He made maps of Quivira and the adjacent country of Harahey. On these maps he pretended to define the bounds of those countries exactly—there was no conjecture, no possibility of error admitted. In instances without number the lines of Quivira bend around the heads of ravines as though a careful survey had been made. The north line is carried along the south bank of the Smoky Hill, falling sometimes within a mile or less of that stream, but never permitted to touch it. The line between France and Germany was never more closely adjusted than he made that between two tribes of brutish Indians belonging to a common linguistic family. He pretended to rediscover the principal villages and camps of Quivira and Harahey. He caused to be erected granite monuments to mark the sites of these supposed

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rediscoveries. And these shafts always bore inscriptions telling how the sites they marked had been rediscovered by J. V. Brower.

Mr. Brower pretended to define these countries of Quivira and Harahey by the extent of certain chert beds and the forms of certain flint implements he found about the forks of the Kansas River. He claims to have traced the inhabitants of Quivira and Harahey from the Ozark Mountains to the locations he assigns them. He did this by means of the forms of the flint arrowheads, knives, axes, and hammers made by them. He even assures us that they lived on deer and wild turkeys in the Ozarks, but became raw-meat eaters and blood-drinkers on the Kansas plains where they could get buffaloes for food. This seems strange when we remember that there were as many buffaloes on the plains skirting the Ozarks as there were on the Kansas River, and as many deer and turkeys on the Kansas streams as there were in the Ozarks. And even on the Ozark ranges there were buffaloes in untold numbers. For the Ozark Mountains were treeless and grass-covered until the expulsion of the Indians. The timber appeared on them after the white man came and stopped the Indian practice of burning the country over annually.

The methods of Mr. Brower cannot be approved. The shafts which he caused to be erected may by mere accident be in proper locations. Most probably they are not. He did not know. No one knows. No one ever will know. The data to determine these matters does not now exist. So far as is now known, this evidence has not been in existence for the past three hundred years.

With Quivira Kansas made her first manifestation. She broke on the world with a radiant flash as a recompense to Coronado for Cibola and the pueblos of the Rio Grande—the mummy villages of the dead deserts. While she was not appreciated and was left to her "brutish people" and her rolling herds of wild oxen for some centuries, it is a source of satisfaction to know that the Kansas plains were ridden over by mailed knights generations before Jamestown and Plymouth Rock were planted on our eastern shores. Vague Old Quivira plants the feet of lusty young Kansas in the dim and misty fastnesses of the past to give dignity and beget pride in the history of a state. Hazy and distant Quivira is hoary with antiquity, but in young and buxom Kansas she becomes the beacon of modern energy to light up the ways of the world. Touched with the magic fire of Kansas, Old Quivira has become a flame that burns across the heavens—an inspiration, an ideal far superior in value to the crops or herds or mines embraced in all her borders. For ideals are more precious to mankind than material things.

So, Quivira takes its place as one of those romantic incidents peculiar to Kansas history. It was all but forgotten for two hundred years. Connected with any other state, Quivira would have passed from the memory of man. Or, perhaps, a few dry lines would have appeared in

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the misty annals of the Southwest to tell of a fruitless trip to a desert land. But associated with Kansas it became an indefinite mystery vital as the pilgrimages to find the Holy Grail. Romances will have their seat in it. Quivira is not only coequal with Kansas—it is Kansas. It matters not now about exact metes and bounds, and never more will matter, for they are not essential to Quivira. It assumes a larger part —takes form as our earliest absorbing tradition. It is our remotest background in which take refuge the mystic tragedies incident to the evolution of the Great Plains. As a field for the fanciful it holds an expanding value to the coming generations of Kansas. Intangible as the luminous haze of a plains-horizon, Quivira will become the swelling fountain of romance for all who shall seek to connect their times with that mystic life which is to remain the strongest support of civilization as long as the world shall stand.

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In Volume X is "The White Man's Foot in Kansas" by John B. Dunbar, of Bloomfield, New Jersey.

In Volume VIII is "Early Spanish Explorations and Indian Implements in Kansas" by W. E. Richey, of Harveyville, Kansas. A picture of the famous "Coronado Sword," and an account of where it was found, and how it came into Mr. Richey's possession, are a part of the paper. The sword is now the property of the Kansas State Historical Society. It was found in the year 1886, on the head waters of Pawnee Creek, near the north line of Finney County, Kansas, nearly due north of the town of Ingalls. It evidently belonged to Gallego, one of the

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principal men of the Coronado expedition, for it bears his name graven in the metal. On it are these inscriptions:

No Me Saques Sin Razon
No Me Enbaines Sin Honor.

In the Agora, a magazine published in Kansas and running through the years 1891 to 1896, there is a translation of *Voyages, Relations Et Memoires Originaux Pour Servir a L'Historie de la Decouverte De L'Amerique, Publies Pour La Premiere fois en Francais Par H. Ternaux —Compans.* This translation was made by Eugene F. Ware, and the first chapters were published in 1895.

In *A History of Missouri,* by Louis Houck, three volumes, 1908, there is a good discussion of Coronado's route. Some parts of the subject are there better treated than in any other work examined.

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CHAPTER II

LOUISIANA

The French

For two generations the Spaniards sent expeditions to explore the Great Plains. They rode up and down in this magnificent land from the Ozarks to the Rocky Mountains, and from Texas to the Platte River. Vast sums were expended in these onerous ventures. But so far as the territory now embraced in Kansas is concerned, the result was nothing. The right accruing from discovery and explorations was permitted to lapse—in fact, it never was asserted. No claim of proprietorship was established to any portion of what is now Kansas. When it was determined that the plains afforded no cities to sack and no peoples to plunder and destroy, interest declined, and the Spaniards withdrew to the arid wastes of the far Southwest. They established communities of people almost as ignorant and superstitious as the savages they displaced. And most of this miserable population were held in perpetual slavery by the system of peonage. What a blessing that Kansas was not to receive her civilization from Spain! The Spaniard had his day and his opportunity. Making nothing of them, he sank below the horizon—and the Great Plains were as though they had not yet been seen by white men.

The occupation of the soil of Kansas by Europeans resulted from what was in effect a rediscovery of the Mississippi Valley. It remained for a stronger people to explore and develop this great interior valley of North America. The French are a dominant people. The infusion of their blood into that of the Saxons exalted the ideals and broadened the vision of the Englishman. It endowed him with the capacity for vast enterprises and gave him the genius for conquest and empire. "The Gaulish race, above all others, is characterized by that occult force of cohesion and resistance which maintains their material unity amid the most cruel vicissitudes and makes it rise superior to every attempt to depress it." Garneau, the historian, says that the old Gallic characteristics have outlived the unchangeable theocracies of Egypt and Asia, the political combinations of the Greeks, the civic wisdom and military discipline of the Romans. And that the French are of antique blood, but ever young at heart—that they are inspired by a call of great moment or an appeal of noble conception. All this is established by the annals of the ages and by the common assent of mankind.

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To the genius, the dominance, the vision, devotion and intrepidity of the French people does the Mississippi Valley owe its real discovery, its successful exploration and its enduring occupancy.

The discovery of the Great West was due to the efforts of La Salle. Through hardships inconceivable and discouragements which it seems would daunt the stoutest heart he persevered in his explorations of the country to the west and southwest of the Great Lakes. He was a trader, and the empire of which he dreamed and for which he planned was to rest on commerce and the settlement and development of the country. In this work he had the opposition of the Jesuits, who stopped at nothing to thwart his plans and ruin his enterprises. They had lost their missions among the Hurons east of the Georgian Bay in the destruction of those tribes by the Iroquois. They had followed the fragments of these broken tribes to the westward. They had themselves entered the fur-trade, and they maintained extensive establishments at Michillimackinac and other points. They were opposed to the seating of white settlements in the Indian country, and from Quebec to the Mississippi they interposed every possible obstacle to the plans of La Salle. And it is by no means certain that they did not finally accomplish his ruin and, indirectly, even his death, by corrupting those in his service on his last voyage to found a colony on the Lower Mississippi. Their attitude is well expressed by Parkman in his *La Salle and the Discovery of the Great West.*

From the lakes, they turned their eyes to the Valley of the Mississippi, in the hope to see it one day the seat of their new empire of the Faith. But what did this new Paraguay mean? It meant a little nation of converted and domesticated savages, docile as children, under the paternal and absolute rule of Jesuit fathers, and trained by them in industrial pursuits, the results of which were to inure, not to the profit of the producers, but to the building of churches, the founding of colleges, the establishment of warehouses and magazines, and the construction of works of defence,—all controlled by Jesuits, and forming a part of the vast possessions of the Order. Such was the old Paraguay; and such, we may suppose, would have been the new, had the plans of those who designed it been realized.

The Jesuits were no longer supreme in Canada, or, in other words, Canada was no longer simply a mission. It had become a colony. Temporal interests and the civil power were constantly gaining ground; and the disciples of Loyola felt that relatively, if not absolutely, they were losing it. They struggled vigorously to maintain the ascendency of their Order, or, as they would have expressed it, the ascendency of religion; but in the older and more settled parts of the colony it was clear that the day of their undivided rule was past. Therefore, they looked with redoubled solicitude to their missions in the West. They had been among its first explorers, and they hoped that here the Catholic Faith, as represented by Jesuits, might reign with undisputed sway. In Paraguay, it was their constant aim to exclude white men from their missions. It was the same in North America. They dreaded fur-traders, partly because they interfered with their teachings and perverted their converts, and partly for other reasons. But La Salle was a fur-trader, and far worse than a fur-trader, he aimed at occupation, fortification, and

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settlement. The scope and vigor of his enterprises, and the powerful influence that aided them, made him a stumbling-block in their path. He was their most dangerous rival for the control of the West, and from first to last they set themselves against him.

What manner of man was he who could conceive designs so vast and defy enmities so many and so powerful? And in what spirit did he embrace these designs?

And the same authority defines exactly the difference between the future of the Great West as designed by the Jesuits and as conceived by La Salle.

Prodigious was the contrast between the two discoverers; the one, with clasped hands and upturned eyes, seems a figure evoked from some dim legend of mediaeval saintship; the other, with feet firm planted on the hard earth, breathes the self-relying energies of modern practical enterprise. Nevertheless, La Salle's enemies called him a visionary. His projects perplexed and startled them. At first, they ridiculed him; and then, as step by step, he advanced towards his purpose, they denounced and maligned him. What was this purpose? It was not of sudden growth, but developed as years went on. La Salle at La Chine dreamed of a western passage to China, and nursed vague schemes of western discovery. Then, when his earlier journeyings revealed to him the valley of the Ohio and the fertile plains of Illinois, his imagination took wing over the boundless prairies and forests drained by the great river of the West. His ambition had found its field. He would leave barren and frozen Canada behind, and lead France and civilization into the valley of the Mississippi. Neither the English nor the Jesuits should conquer that rich domain; the one must rest content with the country east of the Alleghanies, and the other with the forests, savages, and beaver-skins of the northern lakes. It was for him to call into light the latent riches of the great West. But the way to his land of promise was rough and long; it lay through Canada, filled with hostile traders and hostile priests, and barred by ice for half the year. The difficulty was soon solved. La Salle became convinced that the Mississippi flowed, not into the Pacific or the Gulf of California, but into the Gulf of Mexico. By a fortified post at its mouth, he could guard it against both English and Spaniards, and secure for the trade of the interior an access and an outlet under his own control, and open at every season. Of this trade, the hides of the buffalo would at first form the staple; and, along with furs, would reward the enterprise till other resources should be developed.

Such were the vast projects that unfolded themselves in the mind of La Salle. Canada must needs be, at the outset, his base of action, and without the support of its authorities he could do nothing.

It will be necessary to review the events connected with the discovery of the Mississippi by the French. In 1673 Joliet was sent to find this great river of which they had long heard from the Indians coming from the West. He had been a priest, but had returned to the life of a trader. He had been sent to explore the country, on Lake Superior, containing the copper mines. On his journey into the wilderness to find the Mississippi a Jesuit, Jacques Marquette, was selected to accompany him. The priest puts it the other way, saying that Joliet was appointed by Frontenac and Talon to go with him. They set out on the 17th of May, 1673, in two birch-bark canoes, from old Point Ignace, on the

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north side of the Strait of Michillimackinac. As attendants they had five Frenchmen—doubtless skilled in woodcraft and wilderness navigation. For supplies they carried some smoked meat and Indian corn, and their baggage was limited to the barest necessaries.

Thus provided and equipped these pioneers set forth. They coasted Lake Michigan to Green Bay. From thence they ascended Fox River, crossed Lake Winnebago, and again took to Fox River, which they coursed to its source. There they dragged their canoes overland to the head of the Wisconsin. Here they embarked again, but on the waters of the mighty river which they sought. On the 17th of June, 1673, they reached the Mississippi, and Marquette wrote that he experienced a joy which he could not express. They continued down the stream, and upon its banks no human being was descried for many days. On the west bank, on the 25th of June, footprints were seen, and a path led the explorers to an Indian village two leagues away. Other towns were in sight—all of the Illinois stock, thrown beyond the Mississippi by the irresistable onset of the Iroquois from the country now embraced in the State of New York. Marquette addressed the Indians in their own tongue, and the explorers were well received. They were feasted, but exhorted to refrain from going on, which counsel they could not heed. Six hundred Indians went with them to their canoes and saw them again committed to the Mississippi. Below the mouth of the Illinois they beheld, painted on a beetling shore-cliff, the images of imaginary diabolic monsters—manitous of the Illinois tribes. They were still discussing those pagan representations when "A torrent of yellow mud rushed furiously athwart the calm blue current of the Mississippi; boiling and surging, and sweeping in its course logs, branches, and uprooted trees. They had reached the mouth of the Missouri, where that savage river, descending from its mad career through a vast unknown of barbarism, poured its turbid floods into the bosom of its gentler sister. Their light canoes whirled on the miry vortex like dry leaves on an angry brook."

Continuing this voyage, they passed the mouth of the Ohio, and came into a different country. The days were hot and enervating, and the nights were but periods of torment from mosquitoes. An Indian village on the east bank rose to view, coming to which they disembarked, and were cordially received and feasted. They were told of towns lower down, which on the following day, they set out to reach, finding one opposite the mouth of the Arkansas River. It was one of the villages of the Arkansas or Quapaw Indians. There they were also received with hospitality, though at night the sentiment changed, and they escaped death only by the watchful care of the chief.

These Frenchmen had descended the Mississippi far enough to determine that it did not flow into the South Sea or Gulf of California, but into the Gulf of Mexico. And so the Indians doubtless told them. Such information would be of vast importance in Canada, and they decided to return, setting out on the 17th of July. The voyage homeward was uneventful, and they reached the mission at Green Bay near the last

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of September. They had traveled more than twenty-five hundred miles. Marquette remained at the mission an exhausted and feeble man, but Joliet went on to Quebec. In sight of Montreal his canoe was overset and his papers lost, but he made report of the momentous discovery to the Governor of Canada. Marquette founded a mission the following summer at a point near the present Utica, Illinois, which he called Kaskaskia. He died on the 19th of May, 1675, on the shore of Lake Michigan as he was going to Michillimackinac.

The report of Joliet only confirmed the conclusion of La Salle—that the Mississippi flowed into the Gulf of Mexico. With Frontenac, La Salle had established Fort Frontenac, where Kingston now stands, in 1675. That gave him control of Lake Ontario and the country adjacent, especially the country to the north. He had discovered the Ohio in the winter of 1669-70, and had explored it to the falls—now Louisville. "It was for him to call into light the latent riches of the Great West." La Salle was the first man to comprehend the magnitude and possibilities of the great valley of the Mississippi. He resolved to secure it for France—and to develop its trade for himself.

It is not necessary here to review all the steps taken by La Salle to seat himself on the Mississippi. No more stirring tale could be written than a faithful account of this matter. He suffered from intrigue, perfidy, exposure to cold, floods, starvation, the horrors of Indian bloodlust. He journeyed thousands of miles through snows, over swamps and flooded plains. His men were murdered, and he himself twice poisoned. His business was wrecked and ruined by enemies at home. But he rose triumphant above it all until an assassin cut off his life.

Only a man of indomitable will could have risen from the ruin which had prostrated all the undertakings of La Salle. "But he had no thought but to grapple with adversity, and out of the fragments of his ruin to build up the fabric of success." He spent the winter of 1680-81 at Fort Miami, on the River St. Joseph, near the southeastern extremity of Lake Michigan. Here were the wigwams of some friendly Indians, and during the winter more of them gathered about his desolate fort. Having organized them in his interest, he departed in May, 1681, for Canada to assemble again the scattered remnants of his fortunes and make ready for the grand enterprise of his life. He succeeded in satisfying his creditors and getting some additional means. This work consumed the summer. In October he reached Lake Huron on his return to the wilderness. "Day after day, and week after week, the heavy-laden canoes crept along the lonely wilderness shores, by the monotonous ranks of bristling moss-bearded firs; lake and forest, forest and lake, a dreary scene haunted with yet more dreary memories—disasters, sorrows, and deferred hopes; time, strength, and wealth spent in vain; a ruinous past and a doubtful future; slander, obloquy, and hate. With unmoved heart, the patient voyager held his course, and drew up his canoes at last on the beach at Fort Miami." This was the voyage preliminary to the establishment of Louisiana.

From his savage retainers at the fort La Salle chose eighteen men.

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He had with him twenty-three Frenchmen. Of the Indians, ten took their squaws, and there were three children. Altogether there were fifty-four persons in the expedition which he had then formed for the descent of the Mississippi. His main reliance was the iron man, Tonty, whose fidelity, and intelligent assistance have won the plaudits of the generations to this time. The advance guard set out from Fort Miami on the 21st of December, and went by the Chicago River, from the head of which they carried their canoes and lading to the Illinois. La Salle followed in a few days, coming up with Tonty before the party left Lake Michigan. They found the Illinois River frozen, and were compelled to drag their canoes down the river on the ice to Peoria Lake, below which they found open water. There they launched their frail vessels for the final voyage. They reached the Mississippi on the 6th of February, 1682. The descent of the mighty "Father of Waters and Mother of Floods" was devoid of incidents requiring detail here. The head of the delta was reached on the 6th of April, and the river was found to have three principal channels thence to the Gulf. Each channel was explored, after which the company united to return. On a hillock of firm land back from the mouth of the Mississippi a little way they assembled to make formal proclamation and take firm possession of the valley of the Mississippi. A beam of wood, heavy post, or column, was prepared. It bore the arms of France, and this inscription:

"LOUIS LE GRAND, ROY DE FRANCE ET DE NAVARRE, REGNE; LE NEUVIEME AVRIL, 1682."

Hymns of the Roman Church for momentous occasions were chanted, *Vive le Roi* was shouted, muskets fired. The post was set up, and La Salle took place beside it. Standing there, with loud voice, he proclaimed:

In the name of the most high, mighty, invincible, and victorious Prince, Louis the Great, by the grace of God King of France and of Navarre, Fourteenth of that name, I, this ninth day of April, one thousand six hundred and eighty-two, in virtue of the commission of his Majesty, which I hold in my hand, and which may be seen by all whom it may concern, have taken, and do now take, in the name of his Majesty and of his successors to the crown, possession of this country of Louisiana, the seas, harbors, ports, bays, adjacent straits, and all the nations, peoples, provinces, cities, towns, villages, mines, minerals, fisheries, streams, and rivers, within the extent of the said Louisiana, from the mouth of the great river St. Louis, otherwise called the Ohio . . . as also along the river Colbert, or Mississippi, and the rivers which discharge themselves thereinto, from its source beyond the country of the Nadouessioux . . . as far as its mouth at the sea, or Gulf of Mexico, and also to the mouth of the River of Palms, upon the assurance we have had from the natives of these countries, that we are the first Europeans who have descended or ascended the said river Colbert; hereby protesting against all who may hereafter undertake to invade any or all of these aforesaid countries, peoples, or lands, to the prejudice of the rights of his Majesty, acquired by the consent of the nations dwelling herein. Of which, and of all else that is needful, I hereby take to witness those who hear me, and demand an act of the notary here present.

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He was greeted with more shouts of *Vive le Roi,* and with additional volleys of musketry. A cross was erected by the great beam, and a leaden plate bearing the arms of France and the legend *Ludovicus Magnus regnant* was buried there. The *Vexilla Regis* was sung, and the cry of *Vive le Roi* was again raised—and the ceremonies thus completed.

So, was established the French Province of Louisiana. Notice to all the world that it was set up was duly proclaimed. Through toil and fatigue, hardships and disaster, malice and envy, hate and intrigue, its armorial blazonry rose triumphant that day over the vapors and fogs and exudations of the miry shores of the inland sea. It was the inception of the Empire of the mighty Mississippi. It was the germ of power and glory. It held immense possibility, such opulence, dominance, progress, and development that even the thought of it had not entered the mind of man. The bounds of the Old Louisiana enclose the land most favorable to the growth of the human race. It will bring forth the ideals and originate the forces to influence and lead mankind. It is the heart of North America. Its conception was heroic. Its effulgence is consummated on the Great Plains. And on the banners of its glory the brightest star is Kansas.

Du Tisne

With the vicissitudes of Old Louisiana it is not our province to deal in detail at this time. It was the intention of La Salle to remove it from the influence of Canada and all the reactionary tendencies of the Jesuits. He designed to come into it by the way of the sea abandoning utterly the route through Canada. That his plans miscarried through no fault of his own did not prove them unsound. They were largely followed after his day, in the settlement and development of Louisiana.

Some of the leading events in the occupancy of Louisiana by the French must be set down here. Kaskaskia was settled about the year 1700, and when it was fortified by the erection of Fort Chartres in 1718, it was made the capital of Upper Louisiana. Bienville, then Governor of Louisiana, founded New Orleans in the same year. And another event of 1718 cast an ominous shadow more than a century before it. For in that year Francis Renault bought, in San Domingo, five hundred negro slaves. These he carried to the Illinois country, and many of them were sent to work in the lead mines west of St. Genevieve—in what is now Missouri—the beginning of negro slavery in the portion of Louisiana west of the Mississippi.

Up to 1721, the French settlements in Louisiana were scattered and without cohesion. From that time we may say that they became so numerous and in such close communication that they constituted a country— made up the beginnings of a State—represented all sections and became the political foundation of Louisiana. Explorations to the west of the Mississippi were undertaken by the authorities. These explorations followed no doubt, as in the English and Spanish occupancy of portions of America, individual expeditions of which accounts and memories are

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lost. The first exploration by the French into that country which became Kansas, of which any record has been preserved, was in 1719, by Charles Claude Du Tisne, a French Canadian. In the previous year he had been sent by Governor Bienville up the Missouri to visit some of the upper tribes, but had been compelled to return from about the mouth of the Osage because of the hostility of the Missouris. On this second attempt to penetrate the country, he went by another route, passing up a stream which empties into the Mississippi just below St. Genevieve, known then as the Saline. Leaving this stream far up at the crossing of an old Indian trail, he went west and northwest to the Osage Trail, in what is now Morgan County, Missouri. To reach that point he crossed the country now included in Washington, Crawford, Phelps, Pulaski and Miller counties in Missouri. He followed the Osage Trail up the Osage River, coming into Kansas below where Trading Post was afterwards established. He visited the Osage villages, the principal of which he found situated upon a hill. This was below the present Kansas-Missouri state-line, and it contained more than a hundred lodges and some two hundred warriors. There and on the river below he had found pieces of lead ore. From the Osage towns he passed west over the prairies to the country of the Pawnees, finding a village of that tribe containing one hundred and thirty lodges. These Indians were in possession of horses, which they valued highly and guarded closely. It does not appear that he visited the Padoucahs though he must have gathered what information he could about them, reporting that they lived "fifteen day's journey" from the Pawnees, but he does not indicate the direction.

The route of Du Tisne in Kansas can not be definitely fixed now. He found rock salt near the Pawnee towns, which is evidence that he visited the Grand Saline, on the Lower Neosho. In the country of the Pawnees, on the 27th of September, 1719, he set up a post bearing the arms of France, and took formal possession of the country for the French king. In his report it is stated that the Osages spent much time on the prairies hunting the buffalo.

Du Tisne found the Pawnees near where Vinita, Oklahoma, was afterwards founded. Below Vinita, on the east side of the Neosho, are the remarkable salt springs above mentioned as the Grand Saline. The presence there on the Neosho of Pawnee towns in 1719 would still further confirm the location of Quivira in the country whose waters drain into the Arkansas River from the north.[1]

Villazur

The next expedition entering what is now the State of Kansas was sent out from the Spanish settlements in New Mexico. The first intimation the French authorities had of this invasion was contained in a letter written on the 24th of May, 1721, by M. De Boisbriant, Governor of the Illinois District, to Bienville, saying that three hundred Spaniards

[1] See Vol. IX, *Kansas Historical Collections,* pp. 252, *et seq.*

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had left Santa Fe to drive the French from Louisiana, but that they had been turned back by the Pawnees and Osages.

The facts concerning this foray into the Great Plains have not been available until recently, the first intelligible account of it having been published by the Kansas State Historical Society.[2] Its object was to throw back the Pawnees, who had established a strong town in the forks of the Platte River as a means of protecting their hunting grounds from the Spaniards and the Indians under their influence. The Pawnees were moved to this action by the erection of a pueblo or tribal dwelling by the Picuries in what is now Scott County, Kansas. The Picuries were from Northern New Mexico, and had there been under Spanish rule. They moved to the Great Plains and set up their communal establishment, called El Quartelajo, about 1702, and its remains are yet to be seen. This alarmed the Pawnees, then seated in what is now Nebraska and Northwest Kansas, and as an offset they made the settlement at the forks of the Platte. This Pawnee town, projected into the center of the buffalo range, was likely to have an adverse effect on the hunting operations of the New Mexicans and their allies, and the Spanish authorities decided that it must be destroyed. This decision was the more natural since it was well known on the Rio Grande that French hunters and traders were then appearing upon the Great Plains in close alliance with Indian tribes dwelling there. As early as 1700 they had destroyed the village of Jumanos far out on the plains, if Spanish reports are to be credited. And all this is proof of how far individual enterprise and personal effort move in advance of governmental action. History rarely preserves the names of the first explorers of the interior of any country. Hardy traders and adventurers plunged into the woods and streamed over the plains long before the expeditions set down as the original explorations. But the names of these old rangers are lost—were never recorded except in local family annals.

An additional motive for the Spanish expedition was the punishment of the predatory Comanches and Utes, or at least a display of force sufficient to curb their arrogance. Coming in upon the eastern or plains country of New Mexico from the southeast, they had stolen horses and harried the white and Indian inhabitants of the province.

Don Antonie Valverde was Governor of New Mexico. In 1719 he determined to lead a military force against the Pawnee village at the forks of the Platte. But he did not get beyond El Quartelajo, returning from that outpost to Santa Fe. The action of Valverde can only be explained by a knowledge of his character, which seems to have been of the worst. A renegade Frenchman, Jean L'Archeveque, one of the murderers of La Salle, was one of his associates and his tool. This degenerate Frenchman bore an ignoble part in this final Spanish expedition, where he met justice in death at the hands of the Pawnees and their French allies.

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[2] See Vol. XI, *Kansas Historical Collections*, pp. 397, *et seq.*, for the article, written by John B. Dunbar.

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Valverde had a force of two hundred men, which he considered insufficient in 1719, but he ordered Lieutenant-Colonel Villazur to proceed in 1720 with but forty men. Villazur marched from Santa Fe on the 14th of June. He halted at Jacarilla, one hundred and ten miles north of Santa Fe, to rest his troops and secure Indian recruits. From that post it was two hundred and fifty miles to El Quartelajo, which was reached by toilsome marches. There Villazur secured another band of Apaches and set out for the Pawnee village, one hundred and ninety miles away. It was another difficult march, but on the 15th of August the Spaniards came in sight of the Pawnee town. It was on the north Fork of the Platte about a mile and a half above its junction with the South Fork. The Spaniards first saw it from a hill or bluff some distance from the river.

When the Spaniards came into full view of the town the Pawnee warriors, who were even then south of the river, rode forward to meet them. The Spaniards had dismounted, but they now mounted their horses and rode slowly forward to meet the Pawnees, who, when within a quarter of a mile, put their horses to the gallop, parted into two wings, and encircled the Spanish command. In this situation all advanced to the bank of the South Fork of the Platte a little above its junction with the North Fork. The Pawnees there leaving the Spaniards and returning to their town, Villazur dismounted his force, and permitted the horses to graze. Early in the afternoon the Spaniards descended the river to a point about two miles below the junction of the forks of the Platte. There camp was made on the river bank. The grass was of rank growth on the rich river-bottom, and perhaps so high as to well-nigh conceal the horses. The Spaniards cut it away from a space large enough for the camp—some two acres. Here were piled the baggage and the camp-equipment. At night the horses were brought up and tied about this cleared space.

The Pawnees had early information of the departure of the expedition from the Rio Grande. After it left El Quartelajo they kept it ever in sight. They were not deceived as to its purpose. The Indian town was not surprised when the Spanish force came into view on the south plain —it was expected. There were more than twenty Frenchmen in the Pawnee town, all armed with muskets. They were traders and trappers, hunters and *coureurs de bois,* and friends of the Pawnees.

There was a low bush-grown island in the Platte opposite the Spanish camp. To this island the Pawnee warriors quietly swam with their bows and arrows in the afternoon. At night they swam to the south bank and concealed themselves in the tall grass around the camp. The French were with them and directing them.

At daylight Villazur thought to move his camp to higher land in the open plain, and his men were busily engaged in breaking camp for that purpose. As the Spanish commander was mounting his horse, a volley of musketry was fired into the camp by the Frenchmen. Two-thirds of the Spanish soldiers were killed by this first fire. The survivors drew themselves together and charged their surrounding foes, driving them back three times. But the Spanish Indians had fled at the first fire, and

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were then galloping headlong over the plain intent only on saving their own lives. The Spanish soldiers, seeing they could not beat off their enemies, soon followed their Indian allies. Only six or seven of them reached Santa Fe, twenty-two days later. When the tidings of the dismal failure of the expedition were told there, the town was in a panic, and the expedient of abandoning it was seriously considered. But the Pawnees and French were satisfied with their decisive victory on the Platte and did not pursue. And the French had established their claim to the Mississippi Valley up to the Rocky Mountains. This claim was never afterward disputed by the Spaniards.

Bourgmont

The French were ever seeking to develop trade with the Indians, and when commercial relations were established they were fostered and closely guarded. As early as 1718, Sieur Presle, now supposed to have been a stockholder in the Company of the Indies, had suggested that Etienne Venyard Sieur de Bourgmont be sent to arrange trade relations with the Missouris, living at that time near the mouth of the Grand River, and possibly on that stream in the present bounds of Livingston or Carroll counties, in Missouri. To insure the stability and permanency of the trade so arranged, Bourgmont established Fort Orleans in 1723. The exact location of this fort has long been a matter of controversy, though it was probably on an island in the Missouri River, near what is now Malta Bend. It has been located by different writers as far down as the mouth of the Osage. If the Missouri villages were up the Grand River, as some suppose, there would be reason to locate the site of the fort on an island near the modern Brunswick, Mo.[3] At that time the French, having in mind the Villazur expedition against the Pawnees, recognized the possibility of a conflict with Spain for the Great Plains. It was supposed that a French fort on the Missouri would check further infringements by the Spaniards living on the Rio Grande. An outpost at the edge of the plains would serve to develop trade with the Indian tribes, causing them to bury their tribal animosities and act in unison in the interests of the French, to whom all would look for the manufactured articles becoming daily more indispensable to the Indians. Another object to be attained by this fort was the winning of the Padoucahs (Comanches) to the French interest. These plains barbarians roamed all the regions from below the Rio Grande to the Upper Platte. They were, mainly by theft, securing horses from the Spaniards. Mounted on these, they became the whirlwind of the deserts and the buffalo plains. To a people to whom the possibility of commerce appealed, their friendship was considered desirable, and Bourgmont was charged to visit and conciliate them. Their nearest towns were on the head waters of the Kansas River, beyond the hunting-grounds of both the Kansas and the Pawnees.

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[3] See Houck's *A History of Missouri*, Vol. I, pp. 260, *et seq.*
Also *Kansas Historical Collections*, Vol. IX, pp. 252, *et seq.*

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In the summer of 1724, Bourgmont occupied himself with the performance of his charge concerning the plains Indians. To accomplish the first stage of his objective, he divided his expedition into two detachments. The first he led in person. One part of it was made up of one hundred Missouris, then firmly bound to the French. They were commanded by a head-chief and eight war-chiefs. There were sixty-four Osages, commanded by four war-chiefs. Of Frenchmen in the party, there were Sieur La Renaudiere and his Canadian engage De Gaillard, De Bellerive, a cadet, Simon, the servant of the commander, and troopers D'Estienne Roulot, Derbet, and the drummer D'Hamelin. This division did not march until the 3d of July. The other detachment had set out in batteaux on the 25th of June to ascend the Missouri. It was commanded by St. Ange, an ensign of the fort. It had an escort or guard of eleven soldiers—La Jeunesse, Bonneau, Saint Lazare, Ferret, Derbet, Avignon, Sans-Chagrin, Poupard, Gaspard, Chalons, and Brasseur. Two of the engages of Sieur La Renaudiere, Antoine and Toulouse, were of the company, as were five Canadians—Mercier, Quesnel, Rivet, Rolet, and Lespine.

The first stage of the expedition was to end at the Canzes village on the west side of the Missouri, where the town of Doniphan, Kansas, now is. This destination was reached by Bourgmont on the morning of the 8th of July, after a pleasant march over beautiful prairies. The reception of the Frenchmen was cordial. The Canzes feasted their distinguished visitors and made them presents, excepting rich gifts in return. The river detachment had to push against rapid currents augmented by the summer floods in the Missouri from the melting snow in the Rocky Mountains. And it was slow in appearing at the Canzes town. Many of the men were attacked by the fevers incident to such a life in a new country. On the day of his arrival among the Canzes, a courier from St. Ange presented himself before Bourgmont to report conditions and ask that food be supplied him. This request was granted, and St. Ange was sent an exhortation to hasten up the river. He did not arrive until late in July. During the tedious waiting courtesies were continually exchanged between Bourgmont and the Canzes, and two captive Padoucahs—slaves—were turned over to the French. It was the intention to gain the good will of the Padoucahs by returning these captives, but they died of the prevailing fever.

Upon the arrival of St. Ange the French distributed presents to the Canzes, Bourgmont requesting them to go with him to visit the Padoucah towns. The Indians were not satisfied with the quantity of presents received from the Frenchmen, and they said they did not wish to go out against the Padoucahs. This difficulty was finally overcome, and Bourgmont sent his sick back to Fort Orleans. On the 24th of July he started across the plains to visit the Padoucahs. The army got under way at six in the morning. Three hundred Canzes warriors, commanded by two head-chiefs and fourteen war-chiefs, went along. The Indian contingent had also three hundred women, five hundred children, and three hundred dogs taught to draw the travois. The march was to

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the southwest over a beautiful country. The days were very hot, and the nights were cool, and on this account, on the 30th, Bourgmont became so ill that he had to be carried in a litter. Becoming no better, he was compelled to return to Fort Orleans, but before his departure he sent Gaillard with two ransomed Padoucah captives to the Padoucah towns. These captives were to be returned to their tribe with the compliments of the French commandant, who also sent word that he would appear there as soon as his illness had ceased and he was able to make the journey. On the 4th of August Bourgmont departed for his fort in a pirogue and arrived there the following day. On the 6th of September it was reported to him that Gaillard had performed his mission with success, having reached the Padoucah town on the 25th of August and delivered the captives to their own people—and that the French would be welcomed there in consequence.

Bourgmont did not make a complete recovery from his attack of malarial fever, but on the 20th of September he set out by boat for the Canzes town, where he arrived on the 27th. Gaillard came in on the 2d of October, accompanied by three chiefs and three warriors—Padoucahs—to escort the French chieftain into their country. The head-chief and seven war-chiefs of the Otoes came to the Canzes town on the 4th of October; and on the 5th six chiefs of the Iowas came very early to the Canzes village. Bourgmont departed for the country of the Padoucahs on the 6th, but he curtailed his Indian force to forty persons. Gaillard and Quesnel were sent on in advance with two Padoucahs to announce the approach of the French commandant. The route of Bourgmont was again to the southwest to the Canzes River, which was reached and crossed on the 11th. This stream was ascended until the elevated plains at the head of the Smoky Hill were attained. On the 18th of October the country of the Padoucahs was reached. A great smoke from the burning grass of the plain was descried and answered by setting ablaze the prairies around them. Soon the Padoucahs appeared mounted, thundering over the plain at full speed, bearing the French flag left with them by Gaillard. The French were conducted to the Padoucah town, which consisted of one hundred lodges—having eight hundred warriors, fifteen hundred women, and two thousand children, as computed by Bourgmont. Polygamy was in evidence, some of the warriors having as many as four wives. The council at which a formal peace and alliance were concluded was held on the 18th, an account of which is quoted.

The day after their arrival at the Padoucas, M. de Bourgmont caused the goods allotted for this nation to be unpacked, and the different species parceled out, which he made them all presents of.

After which, M. de Bourgmont sent for the Grand Chief and other Chiefs of the Padoucas, who came to the camp to the number of two hundred, and placing himself between them and the goods, thus parceled and laid out to view, he told them he was sent by his Sovereign to carry to them the word of Peace, this flag and these goods, and to exhort them to live as brethren with their neighbors, the Panimahas, Aiaouez, Othouez, Canzas, Missouris, Osages and Illinois, and to traffick and truck freely together, and with the French. He, at the same time, gave the

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flag to the Grand Chief of the Padoucas, who received it with demonstrations of respect, and told him, "I accept this flag which you present to me on the part of your Sovereign. We rejoice at our having peace with all the nations you mentioned, and promise, in the name of our nation, never to make war on any of your allies; but to receive them, when they come among us, as our brethren; as we shall in like manner the French, and conduct them when they want to go to the Spaniards, who are but twelve days' journey from our village, and who truck with us in horses, of which they have such numbers they know not what to do with them; also in bad hatchets of a soft iron, and some knives, whose points they break off, lest we should use them against themselves. You may command all my Warriors. I can furnish you with upwards of two thousand. In my own and in the name of my whole nation, I entreat you would send some Frenchmen to trade with us. We can supply them with horses, which we truck with the Spaniards for buffalo mantles, and with great quantities of furs.

These people are far from being savage, nor would it be a difficult matter to civilize them—a plain proof they have had long intercourse with the Spaniards. The few days the French stayed among them they were become very familiar, and would fain have M. de Bourgmont leave some Frenchman among them, especially they of the village at which the peace was concluded with the other nations. This village consisted of an hundred and forty huts, containing about eight hundred warriors, fifteen hundred women and at least two thousand children, some Padoucas having four wives.

Bourgmont left the Padoucah town to return home on the 22d of October, reaching the banks of the Missouri on the first of November. There a canoe made of buffalo hide was prepared. On the 2d he embarked for Fort Orleans, which he reached on the 5th, after having accomplished a remarkable and difficult mission on the Great Plains. He had traversed the future State of Kansas from end to end—from the Missouri to the plains bordering the front range of the Rocky Mountains. He noted the streams, the boundless prairies, the rolling, surging millions of buffalo. He had bound the roving savage tribes to the fortunes of France and the interests of Louisiana. Henceforth the Kansas country was to be as familiar to the *coureurs de bois* as the woods and streams about their native towns.

The commercial and political arrangements perfected by Bourgmont seem to have been substantial and lasting. It was found to be unnecessary to maintain Fort Orleans. In 1726 its commandant was M. Perier, and on the 30th of September he was directed to abandon the post as a military establishment and turn it over to the missionaries. Even these must have declined to assume the burden of its maintenance, for silence envelopes it from that time. There are indeed stories that all the garrison were massacred and the buildings destroyed by the Indians because of the mistreatment of a Missouri squaw by some Frenchmen, but they are probably without foundation. The fort most likely decayed and disappeared, and the island on which it stood was washed into the ever gnawing, wasting Missouri.

The incident of Fort Orleans closes an era or period in the founding of the French province of Louisiana. The preliminary conquest of the

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wilderness and its savage inhabitants had been accomplished. Future events were to follow a different course. And even this had been foreseen by La Salle, the primal genius of the Mississippi Valley. Of him it has been justly said:

> The explorer's eagle eye had fixed upon the most commanding points between Quebec and Mexico. He chose LaChine as the outpost and bastion of Montreal; he selected Kingston (Fort Frontenac) as the best place to control Lake Ontario; he chose the site of the fort on the Niagara River afterward known as Fort Erie; his eye appreciated the advantages of Detroit and Mackinac; Chicago, Peoria, St. Joseph's, Natchez, New Orleans, and Matagorda Bay were all points of his choosing; and, as was the case with Alexander, the places which he selected for forts and trading-posts have most of them grown to be cities by the natural process of the "Survival of the fittest."

The Cession of Louisiana to Spain

In America, the war between Great Britain and France was known as the "French and Indian War." It was decided by the victory of Wolf on the plains of Abraham in 1759. Montreal fell in 1760, and the campaign that year convinced France that she was defeated in America. On the 15th of July, 1761, she proposed terms of peace by which Canada and that part of Louisiana east of the Mississippi should be ceded to England. Negotiations proceeded for nearly two years. A treaty had been virtually concluded between Great Britain, France, Spain and Portugal in 1762. It was made definitive, as affecting these powers, at Paris, on February 10th, 1763. By its terms New France disappeared. The British bounds were extended to the Mississippi.

The calamity of France was far greater than was made known at the conclusion of the treaty. For at Fontainbleau, on the 3d of November, 1762, the island and City of New Orleans and all of Louisiana west of the Mississippi were ceded by France to Spain. This was a secret cession, and knowledge of it was not made public for more than a year. This treaty changed the sovereignty of the country now embraced in Kansas. And Spain secured by treaty through the stress of France what she might have had more than two centuries before for the mere taking, but which she lost then through indolence and indifference.

Upper Louisiana had grown in commercial importance under the rule of France. Its trade began to attract the attention of those engaged in large enterprises. In 1762 Maxent, Laclede & Co. secured from the Governor-General the grant of a monopoly of the fur trade with the Missouri Indians and tribes to the north of them. The junior member of the company was sent up the Mississippi with boats laden with goods suitable for the trade of their venture in Upper Louisiana. His name was Pierre Laclede Liguest, but after the manner of the French, he chose to be popularly known by the name of Laclede. Failing to find storage for his goods at St. Genevieve, he went on to Fort Chartres. From this point he examined the east bank of the Mississippi to the mouth of the Missouri for a suitable site for a trading-post. As he returned he gave his atten-

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tion to the west bank, when the choice for the location of his post fell upon the site now occupied by the City of St. Louis. In February Auguste Chouteau, then but thirteen, was sent in charge of a party to begin the erection of buildings on the spot marked by Liguest. He arrived on the 14th of February, 1764, and on the 15th he began to clear away the forest and put up some temporary shelter for his men.

The selection of the site for the trading-station was most fortunate. When the French inhabitants of the Illinois country learned that they had been made British subjects by the fortunes of war, they moved in large numbers to the west of the Mississippi. St. Louis soon became a post of importance. It became the point of supply for all the country drained by the Missouri. The pressure of white population upon the Indian lands on the western waters threw many tribes beyond the Mississippi. The Delawares, Shawnees, Mohegans, Iroquois and other Eastern Indians were forced across the Alleghenies, pushing the Illinois, Kaskaskias, Miamis and other Western aborigines into the Spanish possessions. This movement was not of sudden origin for it began in fact with the founding of the English colonies along the Atlantic seaboard. It continued until the aboriginal population had been pushed out of all the country east of the Mississippi. This migration was the more marked after the British had taken possession of Eastern Louisiana. For the English occupation of the country required an absolute title to the soil, with no troublesome Indian neighbors. The Indians had to move off or be exterminated. It became the policy of the Americans after the Revolution to require cessions from the tribes in return for "reservations" to the westward. But prior to the adoption of this course the Indians were forced to migrate into countries already occupied by aboriginal people, twenty-one tribes having crossed the Mississippi in the time from 1804 to 1825. Many tribes had crossed over in whole or in part before. Most of these crossed into Louisiana near St. Louis, adding more than thirty thousand to the Indian population of what is now Missouri. In 1820 there were eighteen hundred Shawnees in the vicinity of St. Louis.

The presence of this additional Indian population on the west side of the Mississippi brought trouble to the town of St. Louis, but it also tended to increase the trade of that town in such commodities as the Indian life produced and required. While the Spaniards could never develop trade with the Indians as could the French, it must be remembered that there remained in Louisiana the French inhabitants found on the soil at the time of the cession. French Canadians continued to come in ever increasing numbers, for the Spanish power was never exacting on the prairies, and along the streams, and over the Great Plains. St. Louis became the trading-point for Upper Louisiana and grew in wealth and importance during the Spanish regime.

It was during the Spanish rule of Louisiana that those conditions arose which made it possible—necessary—that the United States should acquire all of Louisiana.

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The Retrocession of Louisiana to France

Many of the causes of the situation which developed in Louisiana during its detention by Spain lay far back in the history of the country. The Floridas (East Florida and West Florida) were established by Great Britain in the Proclamation of October 7, 1763, defining the British colonies in America. West Florida embraced the country between the Mississippi and Chattahoochee rivers south of the thirty-first parallel. The west boundary of the United States as fixed by the treaty concluding the Revolution was the Mississippi, down to the thirty-first parallel. Thence it ran east along that parallel to the Chattahoochee. Spain declared war against Great Britain in May, 1779. Before the close of that year the Spaniards had captured Manchac, Baton Rouge, and Natchez. On March 14, 1780, they captured Mobile. In May, 1781, they captured Pensacola. By these conquests the Spaniards had extended the north boundary of West Florida from the thirty-first parallel to the mouth of the Yazoo. The territory between these boundaries, from the Mississippi to Chattahoochee, remained a matter of contention between Spain and the United States to 1795. By the treaty ratified in May, 1784, both Great Britain and the United States were granted the right of free navigation of the Mississippi from its source to its mouth. Spain had little intention of standing by her stipulations in that matter. Benevolence has no place in the relations between nations. Interest alone dictates their actions. The old monarchies of Europe were none too well pleased with the erection of a republic in North America. The attitude of the British Government toward the United States was always reprehensible down to the close of the Civil War. Spain saw in the denial of the right to freely navigate the Mississippi an opportunity to creat dissatisfaction and friction between the different sections of the United States. Of this condition she took every advantage, hoping to bring about the dismemberment of the young republic.

At the close of the war for Independence the Americans poured over the Alleghenies in ever increasing numbers. Boone, Kenton, Robertson, Sevier and other explorers and settlers had blazed the way. The new settlers came principally from the Carolinas, from Virginia, and from Pennsylvania. Many of them had served in the patriot armies of the Revolution. Those who had preceded them had battled with the Indians for possession of the soil. These men seeking to establish homes in the wilderness were bold, fearless, independent Americans. Seated on the rich lands of the West, they soon produced a surplus of food and other commodities which they found it necessary to carry to some market. These could not be transported eastward across the Alleghenies. Facilities for this were entirely wanting. The natural outlet for this trade was by the great water-way—down the Mississippi.

It is somewhat remarkable that the Atlantic States never have come to realize the importance of the West. It is strange that Americanism does not begin even in the United States until the crest of the Alleghenies has been attained. The Atlantic seaboard states always viewed the West

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with indifference, and have to this hour made no effort to understand or comprehend its requirements. Virginia ignored the just claims of George Rogers Clark, though his heroism and sacrifices gave her an empire. And when the people of Kentucky petitioned both Virginia and Congress for statehood she was treated with neglect, if not contempt. A like condition to the south caused the people on the Tennessee to set up the State of Franklin. It was apparent to the Western people that the Mississippi Valley was an entity—that while it extended thousands of miles in all directions and might in time have local conditions to deal with in many parts, it had in the end a common interest and a common destiny. La Salle had been the first to realize this, and on that idea he founded Louisiana. A century later the settlers on the Ohio, the Tennessee, the Holston, the Kanawha, the Kentucky and the Cumberland saw the vision first beheld by La Salle. They had helped to free the land from the British yoke. If the government they had set up and sealed with their blood would not hear them and give attention to their needs, they would do what Englishmen have ever deemed it their right to do—secure their interests, devise their own government, choose their own course, shape their own destiny.

Spain fostered this discontent. She restricted the navigation of the Mississippi. The commerce coming down its mighty flood was burdened with imposts amounting to confiscation. Corn, wheat, tobacco, tallow, hides, furs, beeswax, flour, cured meats and many other commodities found unprofitable markets at New Orleans. And the right to deposit these products against more favorable times or for reshipment was denied. At the same time there was the suggestion that if the country could all come under Spanish rule times and conditions would mend and all causes of complaint disappear. In the hope of attaining complete sovereignty of the Louisiana of La Salle Spain entered upon a course of intrigue with the Western settlers. It is not to be believed that the Americans could have ever been brought to accept permanently the rule of Spain. But many of the leading men of the West were willing to form a compact or some sort of alliance with that decadent power in order that commerce might be fostered and the country developed along natural lines.

These were the conditions when European politics interfered and changed the sovereignty of Louisiana. France decided to again take over this wilderness province, and Spain was in no condition to resist. By the treaty of San Ildefonso, concluded October 1, 1800, Spain retroceded Louisiana to France.

The Purchase of Louisiana

The prospect that France would establish a colonial empire in America was not pleasing to the United States. To counteract its influence Jefferson believed it would be necessary to form a close alliance with Great Britain. For France was then at the zenith of her power. She did not take immediate possession of Louisiana, but left the administration in the hands of Spain. In 1802 the Spanish Governor suspended the right of

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the Americans to deposit commercial products in New Orleans. This action caused intense excitement. President Jefferson was compelled to take notice of the state of mind in the West. He wrote Mr. Monroe that it "threatens to overbear our peace." He realized that some remedy would have to be found, and he again wrote Monroe: "The agitation of the public mind on occasion of the late suspension of our rights of deposit at New Orleans is extreme. Remonstrances, memorials, etc., are now circulating through the whole country." The Federalist party advocated war with both Spain and France. But the President determined to rely upon diplomacy. He instructed Robert R. Livingston, our Minister to France, to buy West Florida and New Orleans. In furtherance of this plan to satisfy the people of the West and protect the rights of the United States he appointed, in January, 1803, James Monroe special envoy to France to aid Livingston.

Conditions favored the design of Jefferson. It had been the plan of France to suppress the rebellion in Santo Domingo, and then take possession of Louisiana. The campaign against the Island failed. War with Great Britain was impending. Napoleon knew he could not retain Louisiana in a war with that power. To sell the province to the United States would place it forever beyond the reach of the English. The price of it would help him prepare for the inevitable conflict. And he believed, too, that, having Louisiana, the United States would be strong enough to ultimately curb the British power. He expressed the hope that it would be so. And when the negotiations were got well under way he proposed to sell not only West Florida and New Orleans, but the whole of Louisiana. The American Ministers had not been accredited for so great a transaction. A purchase of such vast dimensions had not been thought of by any American. It was the idea of Napoleon. There was no time to secure additional advices from home, and our ministers decided to ignore the instructions they had. On the 30th day of April, 1803, they concluded a treaty by which all of Louisiana should pass to the United States for the sum of fifteen million dollars. The treaty was ratified at a session of Congress convened the following October. Spain contended that France had no right to sell Louisiana, and protested to our Government, but when the representative of the French Government arrived at New Orleans the Spanish officials turned over the province and withdrew. The authority of France was permitted to continue for twenty days. On the 20th of December, 1803, the French put the United States in possession of Louisiana and the American representative proclaimed to those assembled there:

> The cession secures to you and your descendants the inheritance of liberty, perpetual laws, and magistrates whom you will elect yourselves.

Of all the great events in the history of the United States the purchase of Louisiana was one of the most important. Henceforth there would be no contest among the European powers for the mighty Valley of the Mississippi. For the addition of Louisiana doubled the area of

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the United States, increasing its bounds to imperial dimensions and insuring the existence of the Republic to remote ages.

So was Louisiana reunited and made whole under the sovereignty of a power which had risen since its proclamation and establishment at the mouth of the Mississippi. The conception of La Salle was consummated. The soil to become Kansas became the property of the United States to forever remain a part of the great Republic of North America.

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CHAPTER III

LEWIS AND CLARK

President Jefferson moved at once to secure definite and reliable information concerning Louisiana. His first step was the organization of the expedition of Lewis and Clark. The object of this tour of exploration was to discover the courses and sources of the Missouri River, and to find the most convenient way by inland water to the Pacific Ocean. It was to explore, so far as possible, the territory of the late Purchase from France. On the Atlantic Slope vague and erroneous conceptions existed in regard to this new and remote land. New England was opposed to the acquisition of French Louisiana, and was, generally, always against the extension of the boundaries of the United States to the westward. And this opposition to the Jefferson Purchase was not confined to New England. Objection was made in other sections bordering the Atlantic. It was supposed the settlers straying into the vast expanse west of the Mississippi would be lost to civilization and to the population of the United States. For in those days there were but indifferent means of communication between the various parts of our country. St. Louis was then more inaccessible to Washington City than is Patagonia at this time. And New England was even then very jealous of the South. As Secretary of State, John Quincy Adams abandoned Texas in 1819, and it required the War with Mexico in 1846 to recover that territory and permanently restore it to the United States.

Trade was the stimulus of all the early expeditions into the Western Wilderness. That trade was carried on with savages. With rum and tawdry trinkets such products as an Indian country afforded could be bought. Later the Indians came to require hatchets, axes, kettles, and other metal implements, as well as cloth. To ascertain the possibilities for such trade in the regions in and beyond the Rocky Mountains, Jefferson had considered a plan of exploration from the Missouri River into the wilderness of the extreme West as early as 1783. And now, twenty years later, having made French Louisiana a part of the United States, he hastened to consummate his earlier design. The extent of the country was unknown. Its western bounds were uncertain, and it is quite probable that it was believed that these touched the Pacific. It was realized that no intelligent action could be taken in the interest of those barbarous regions without a knowledge of them. And very little was certainly known of the country beyond the Mississippi.

This expedition of exploration was to be under the direction of

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Captain Meriwether Lewis and Captain William Clark. They were both officers of the Army of the United States. Lewis was the Private Secretary of the President, and Clark was brother to George Rogers Clark who saved us the Northwest-territory country in the Revolution.

In their instructions they were informed that the object of their mission was to explore the Missouri River, taking their observations with great pains. They were to study the possibility of Commerce with the Indian tribes inhabiting the countries through which they passed—noting the extent of their possessions, their relations with other tribes, their language, occupations, their food and clothing, the diseases with which they were afflicted, their laws and customs, and the articles of commerce necessary to them and those they could furnish traders in barter.

The expedition was made up of the following persons:

The Commanders;

Nine young men from Kentucky;

Fourteen soldiers of the United States Army, who had volunteered for the service;

Two French watermen;

One interpreter and hunter;

Captain Clark's negro servant—York.

In addition, there were a corporal, six soldiers, and nine watermen to go as far as the Mandan country, on the Upper Missouri.

The supplies carried consisted of clothing, tools, flints for guns, powder and ball, articles for presents to the Indian tribes to be encountered on the way—medals, flags, knives, tomahawks, paints, and other things prized by Indians.

The party had three boats. The largest was a keel-boat fifty-five feet long, drawing three feet of water, carrying one large square sail, and having twenty-two oars. At the bow and stern there were decks ten feet long, forming a forecastle and a cabin. The middle space was taken up by movable lockers, which, in case of attack, could be elevated to form a breastwork against rifle-balls or arrows. The other boats were what the early navigators of the Western streams called perogues. They were open boats, sometimes built on canoes bound firmly together. Usually two canoes were used to each boat. One carried six oars—the other seven. They were steered with long sweeps at their sterns, and were well adapted to the purpose for which they were designed.

Two horses were led or ridden along the banks of the Missouri to be used by hunters in scouting and bringing in game for food for the party.

The explorers had camped the winter of 1803-04 at the mouth of Wood or Du Bois River, a small stream emptying into the Mississippi opposite the mouth of the Missouri. This camp was abandoned on the 14th day of May, 1804, at four o'clock in the afternoon, and the expedition got four miles up the Missouri before night.

On the 5th day of June two French traders were met deseending the Missouri on a raft made by joining two canoes. They had spent the

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winter on the Kansas River, eighty leagues up, and had trapped many beavers, but prairie fires had destroyed some of their game. They said the Kansas Indians had passed the winter on the Kansas River and were then hunting buffalo on the Plains.

Lewis and Clark reached the mouth of the Kansas River on the 26th day of June. They found heavy currents where the Missouri strikes the bluffs, and is deflected to the eastward at the present Kansas City, Mo., and it was only after unusual exertion that they reached the upper point at the mouth of the Kansas. They remained there two days (June 26th and 27th) to take the necessary observations and repair their boats. They seem to have recruited some additional men there, but they may have only waited for some absent members of their force to come up. They found the Kansas River to be 340¼ yards over at the mouth, but wider a little distance up-stream. The Missouri there was found to be about 500 yards in width. They learned that the Kansas Indians had two towns up the Kansas River. And it seems that the hunters saw some buffalo—the first sighted on the journey—while the expedition was camped at the mouth of the Kansas.

Resuming their explorations, they left their first camp on Kansas soil on the 29th of June. On the 2d of July they reached Kickapoo Island. It was then called Wau-car-da-war-car-da, or Wakan-da-wakhdi Island, meaning Bear Medicine Island, or the island where Wakanda was slain—Wakanda being the Thunder-god of the Indians of that region. He was perhaps a god of the Kansas Indian Mythology. On the west bank of the river was discovered an old Kansas Indian village in the mouth of a valley, between two high points of land. Back of the village about a mile stood the remains of a French fort, but no account of the French party which had been stationed there could be obtained. That French fort was also a trading-station—the first known to us in Kansas.

After a strenuous day the expedition came to camp on the 4th of July on the north bank of a stream which was then and there named Independence Creek, in honor of the day. The stream still retains the name. The town of Doniphan, Atchison County, stands on or near this camping-place. The day was celebrated by firing an evening gun and dealing to each man an additional gill of whiskey—the first celebration recorded to the credit of Kansas. On the 5th the country south of the creek was explored. A beautiful prairie was seen. On the south bank of the creek were found the remains of "the second Kansas village." The indications were that it had been a very extensive settlement or town, which later explorations have confirmed.

On the 11th of July the expedition passed above the present line separating Kansas and Nebraska. The exploration of the Kansas shore of the Missouri had continued for fifteen days, and the record made is one of the first of reliability made in Kansas.

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CHAPTER IV

UPPER LOUISIANA

The inaptitude of the Government of the United States to comprehend the needs of a people of foreign origin living under a government devised by another country was well illustrated in the early days of its occupancy of French Louisiana. To govern well in a subject country requires that the tendencies, needs, laws, language, social customs, legal usages, and government should be thoroughly studied and completely comprehended. Reforms should never be too sudden nor to radical, for a people can be moved only after its members have reached a common conclusion and attained a common mind. The administration of civil and political affairs demands the closest attention. The neglect of these details begets discontent, and discontent is the mother of trouble. In a democracy the eminent man seldom has much voice in public affairs. It is the strong, the bold, the ruthless, the ignorant, the criminal, the sycophant, and the demagogue who usually attain high political positions. Among these there is an occasional student, sometimes a man of deep reflection, and once in a generation a patriot with an astonishing intuition—a comprehension of the needs of humanity apart from nationality. No such man appeared in this instance. Every mistake possible was made in the first efforts of the United States to govern the Louisiana purchased from France by Jefferson.

In this old French Louisiana there were three centers of population. The largest of these was in and about New Orleans. Each of them was to develop into a state of the American Union. And following the American plan of local self-government, it was necessary that Louisiana be divided. By an act of Congress passed March 26th, 1804, this French Louisiana was cut in twain. The territory of Orleans was established. It embraced all of Louisiana east of the Mississippi and all that portion west of that stream south of the thirty-third parallel—the present north boundary of the State of Louisiana. By right and justice the Territory of Orleans extended to the Rio Grande, but by the malevolent abandonment of Texas it was restricted to the Sabine. With that portion of the old empire of La Salle, and its perplexities, its problems, and the results of the early errors of our government plainly discernible on it to this day, we shall have nothing further to do in this work. It developed into the great State of Louisiana—a proud Commonwealth entrusted with the ocean door of our Great Valley.

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The unfolding of Kansas is connected with the second portion, division or part of Louisiana as defined and set off by the act of March 26, 1804. After establishing the Territory of Orleans, the residue of Louisiana—Upper Louisiana—was erected into the District of Louisiana. This vast domain was attached to the Territory of Indiana for judicial purposes. Major Amos Stoddard was made Governor and military commandant, with headquarters at St. Louis, then the capital of Upper Louisiana. And Lewis and Clark, starting on their expedition to the Pacific, began the exploration of the District of Louisiana.

Two of the centers of population of the old French Louisiana purchased by Jefferson were in Upper Louisiana, or the District of Louisiana. The one about Arkansas Post was the nucleus for the coming State of Arkansas, and numbered three hundred and sixty-eight souls. The remaining settlement was chiefly about St. Louis, extending south to Cape Girardeau, and contained some six thousand people. It developed into the State of Missouri. The remainder of the District of Louisiana was a vast realm of barbarism, a savage wilderness comparatively unknown.

By the act of Congress of March 3, 1805, the District of Louisiana was erected into the Territory of Louisiana. The government was improved. A Governor and Territorial Judges were provided. The President appointed General James Wilkinson Governor and Military Commandant of the Territory of Louisiana. He was succeeded by Meriwether Lewis, who was appointed Governor on return from that famous expedition.

The Territory of Louisiana passed out of existence by act of Congress of June 4, 1812, when it was erected into the Territory of Missouri. It was defined as extending from latitude thirty-three to forty-one, north. Its western limits were the Mexican boundaries. St. Louis was continued as the seat of government and General William Clark, of the exploring expedition, was appointed the first Governor of the Territory—of the Territory with a new name. He was also Superintendent of Indian Affairs. A Legislative Council was the "upper house" of the Legislature, and was composed of nine members appointed by the President. There was a "house" elected by the people—one member for each five hundred free white male inhabitants. That was the first local representative body with jurisdiction over the soil which became Kansas. And with the inauguration of the government there began the American ascendency over the old French life in Upper Louisiana. On the 19th day of January, 1816, the Legislature made the Common Law of England the law of the Territory of Missouri.

After the admission of Missouri as a State there was a period of a quarter of a century when there was no direct local government with jurisdiction over the territory to become Kansas. On the 30th of June, 1834, Congress erected all the territory west of Missouri, Arkansas and Louisiana into the "Indian Country." It was attached to Missouri for judicial purposes. This was the status of the soil of Kansas until 1854.

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Whatever laws were provided for its government were enacted by Congress, and its tribunal was the United States District Court of Missouri. In that arrangement there was a design. Notwithstanding the terms of the Missouri Compromise, the "Indian Country" was the future hope of the slave-power.

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CHAPTER V

PIKE

The next exploration of the country which was to become Kansas was in 1806. In 1805 Lieutenant Zebulon M. Pike was sent on a voyage of exploration and discovery up the Mississippi from St Louis by General James Wilkinson. From that voyage he returned on the 30th of April, 1806. General Wilkinson was Military Commandant of the Territory of Louisiana, and it was in his military capacity that he directed Lieutenant Pike to undertake the voyage up the Mississippi. Upon his return from the river expedition General Wilkinson, who was also Governor of the Territory of Louisiana, ordered Lieutenant Pike to explore Louisiana by the way of the Great Plains. That was also a military exploration. It was governmental only incidentally, and different from that of Lewis and Clark, which had been ordered by the President of the United States. General Wilkinson was implicated in the schemes of Aaron Burr, and he had been in the intrigues of the Spanish authorities against the United States. There is reason to believe that he hoped to forward his treasonable designs through the expeditions of Lieutenant Pike. Mr. Coues, the editor of the Journals of these explorations, was convinced that Pike was not altogether ignorant of the plans of General Wilkinson. But the evidence upon which he based that conclusion is not sufficient. Something more will have to be adduced before it can be certainly said that Lieutenant Pike had guilty knowledge of the machinations of his superior. Pike was a good soldier, and he met a glorious death in the service of his country.

The expedition of Lieutenant Pike over the Great Plains to the Spanish frontiers was of more immediate benefit to the country than that of Lewis and Clark. As an enterprise it was inferior, and in ultimate results it did not approach those flowing from the exploration to the Pacific. But accounts of it reached the people long before the publication of the Journals of Lewis and Clark, and immediate trade and settlement developed because of this information.

The instructions to Lieutenant Pike are comprised in two letters written to him by General Wilkinson. One was dated June 24, 1806, and the other July 12, 1806. As this is the most important early exploration of the country which became Kansas, these letters are set out here:

Letter, Wilkinson's Instructions to Pike

St. Louis, June 24th, 1806.

Sir: You are to proceed without delay to the cantonment on the Missouri [at Belle Fontaine], where you are to embark the late Osage

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captives and the deputation recently returned from Washington, with their presents and baggage, and are to transport the whole up the Missouri and Osage rivers to the town of Grand Osage.

The safe delivery of this charge at the point of destination constitutes the primary object of your expedition; therefore you are to move with such caution as may prevent surprise from any hostile band, and are to repel with your utmost force any outrage which may be attempted.

Having safely deposited your passengers and their property, you are to turn your attention to the accomplishment of a permanent peace between the Kansas and Osage nations; for which purpose you must

COL. ZEBULON M. PIKE

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

effect a meeting between the head chiefs of those nations, and are to employ such arguments, deduced from their own obvious interests, as well as the inclinations, desires, and commands of the president of the United States, as may facilitate your purpose and accomplish the end.

A third object of considerable magnitude will then claim your consideration. It is to effect an interview and establish a good understanding with the Yanctons, Tetaus, or Camanches.

For this purpose you must interest White Hair, of the Grand Osage, with whom and a suitable deputation you will visit the Panis republic, where you may find interpreters, and inform yourself of the most feasible plan by which to bring the Camanches to a conference. Should you suc-

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ceed in this attempt—and no pains must be spared to effect it—you will endeavor to make peace between that distant powerful nation and the nations which inhabit the country between us and them, particularly the Osage; finally, you will endeavor to induce eight or ten of their distinguished chiefs to make a visit to the seat of government next September, and you may attach to this deputation four or five Panis and the same number of Kansas chiefs.

As your interview with the Camanches will probably lead you to the head branches of the Arkansaw and Red rivers, you may find yourself approximated to the settlements of New Mexico. There it will be necessary you should move with great circumspection, to keep clear of any hunting or reconnoitering parties from that province, and to prevent alarm or offense; because the affairs of Spain and the United States appear to be on the point of amicable adjustment, and moreover it is the desire of the president to cultivate the friendship and harmonious intercourse of all the nations, of the earth, particularly our neighbors the Spaniards.

In the course of your tour, you are to remark particularly upon the geographical structure, the natural history, and population of the country through which you may pass, taking particular care to collect and preserve specimens of everything curious in the mineral or botanical worlds, which can be preserved and are portable. Let your courses be regulated by your compass, and your distances by your watch, to be noted in a field-book; and I would advise you, when circumstances permit, to protract and lay down in a separate book the march of the day at every evening's halt.

The instruments which I have furnished you will enable you to ascertain the variation of the magnetic needle and the latitude with exactitude; and at every remarkable point I wish you to employ your telescope in observing the eclipse of Jupiter's satellites, having previously regulated and adjusted your watch by your quadrant, taking care to note with great nicety the periods of immersions and emersions of the eclipsed satellites. These observations may enable us, after your return, by application to the appropriate tables, which I cannot now furnish you, to ascertain the longitude.

It is an object of much interest with the executive to ascertain the direction, extent, and navigation of the Arkansaw and Red rivers; as far, therefore, as may be compatible with these instructions and practicable to the means you may command, I wish you to carry your views to those subjects; and should circumstances conspire to favor the enterprise, that you may detach a party with a few Osage to descend the Arkansaw under the orders of Lieutenant Wilkinson, or Sergeant Ballinger, properly instructed and equipped to take the courses and distances, to remark on the soil, timber, etc., and to note the tributary streams. This party will, after reaching our post on the Arkansaw, descend to Fort Adams and there wait further orders; and you yourself may descend the Red River, accompanied by a party of the most respectable Camanches, to the post of Nachitoches, and there receive further orders.

To disburse your necessary expenses and to aid your negotiations, you are herewith furnished six hundred dollars worth of goods, for the appropriation of which you are to render a strict account, vouched by documents to be attested by one of your party.

Wishing you a safe and successful expedition,

I am, Sir,

With much respect and esteem,

Your obedient servant,

Lieutenant Z. M. Pike. [Signed] JAMES WILKINSON.

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LETTER, WILKINSON'S ADDITIONAL INSTRUCTIONS TO PIKE

CANTONMENT [BELLE FONTAINE], MISSOURI, July 12th, 1806.

Sir: The health of the Osages being now generally restored and all hopes of the speedy recovery of their prisoners from the hands of the Potowatomies being at an end, they have become desirous to commence their journey for their villages; you are therefore to proceed to-morrow.

In addition to the instructions given you on the 24th ultimo, I must request you to have the talks under cover delivered to White Hair and Grand Peste, the chief of the Osage band which is settled on the waters of the Arkansaw, together with the belts which accompany them. You will also receive herewith a small belt for the Panis and a large one for the Tetaus or Camanches.

Should you find it necessary, you are to give orders to Maugraine, the resident interpreter at the Grand Osage, to attend you.

I beg you to take measures for the security and safe return of your boats from the Grand Osage to this place.

Dr. Robinson will accompany you as a volunteer. He will be furnished medicines, and for the accommodations which you give him he is bound to attend your sick.

Should you discover any unlicensed traders in your route, or any person from this territory, or from the United States, without a proper license or passport, you are to arrest such person or persons and dispose of their property as the law directs.

My confidence in your caution and discretion has prevented my urging you to vigilance in guarding against the strategy and treachery of the Indians; holding yourself above alarm or surprise, the composition of your party, though it be small, will secure to you the respect of a host of untutored savages.

You are to communicate, from the Grand Osage and from every other practicable point, directly to the secretary of war, transmitting your letters to this place under cover, to the commanding officer, or by any more convenient route.

I wish you health and a successful and honorable enterprise, and am,

Yours with friendship,

[Signed] JAMES WILKINSON.

Lieutenant Z. M. Pike.

The expedition was composed of Lieutenant Pike, Commanding; Lieutenant James B. Wilkinson; three non-commissioned officers; sixteen private soldiers; and two civilians, one of whom, John H. Robinson, was the surgeon, and the other, A. F. Baronet Vasquez, was the interpreter. There were some Indians, and the official record runs: "Our party consisted of two lieutenants, one surgeon, one sergeant, two corporals, 16 privates and one interpreter. We had also under our charge chiefs of the Osage and Pawnees, who with a number of women and children, had been to Washington. These Indians had been redeemed from captivity among the Pottawatomies, and were now to be returned to their friends at the Osage towns. The whole number of Indians amounted to 51."

The start was made on the 15th of July, 1806, from Belle Fontaine, on the south bank of the Missouri, fourteen miles from St. Louis, then the military post of that city. The party were embarked in two boats, and the Indians marched along the bank of the river. The mouth of the Osage was reached on the 28th of July. The exploration ascended the

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Osage. On the 12th of August it was at the mouth of Grand River, above the present town of Warsaw, Mo. There the Indians expressed a desire to strike across the country to their towns, and avoid the winding and tedious ascent of the river. They were then in their own country, at no great distance from their towns, and familiar with the trails of the region. It seems that these Indians had been captured there at the mouth of the Grand River, a year before, by the Pottawatomies. Lieutenant Wilkinson, Dr. Robinson, and the interpreter volunteered to go with the Indians overland. After a march of six days over the prairies the party arrived at the Osage towns, and the captives were delivered to their relatives.

The Osage towns were in what is now Vernon County, Mo., on the south side of the Little Osage River. The tribe was then divided, one division being the "Big" or "Grand" Osages, and the other the "Little" Osages. The town of the Big Osages was on the south side of the Little Osage below the mouth of the Marmaton. About six miles further up was the Little Osage town. Pike was halted on the 19th of August by a drift across the Little Osage, and there established Camp Independence, where he remained until the first of September. The time was spent in visiting the Osage towns, and in consultation with the Indian chiefs. Pike made a census of the Osage tribe, finding that the Big Osages had 214 lodges, 502 warriors, 852 women, and 341 children—a total of 1,695 souls. The Little Osages numbered 824, all told.

At the Osage towns one stage of Pike's itinerary ended, and another stage began. He was obliged to abandon his boats, one of which he sold for $100 in merchandise. He experienced trouble in securing horses to carry his baggage, for he was to set out overland to visit the great Pawnee town on the Republican. The gratitude of the Osages for the return of their captive people rapidly waned. Finally, on the first of September, arrangements were completed, and the journey to the Pawnee town commenced. Circumstances were not favorable, however, and the difficulties of the situation are well described in Pike's Journal:

Sept. 1st. Struck our tents early in the morning, and commenced loading our horses. We now discovered that an Indian had stolen a large black horse which Cheveux Blanche had presented to Lieutenant Wilkinson. I mounted a horse to pursue him; but the interpreter sent to town, and the chief's wife sent another in its place. We left the place about twelve o'clock with 15 loaded horses, our party consisting of two lieutenants, one doctor, two sergeants, one corporal, 15 privates, two interpreters, three Pawnees, and four chiefs of the Grand Osage. amounting in all to 30 warriors and one woman. We crossed the Grand Osage fork and a prairie N. 80° W. five miles to the fork of the Little Osage. Joined by Sans Oreille and seven Little Osage, all of whom I equipped for the march. Distance eight miles.

Sept. 2d. Marched at six o'clock. Halted at ten o'clock and two o'clock on the side of the creek [Little Osage river], our route having been all the time on its borders. Whilst there I was informed by a young Indian that Mr. Chouteau had arrived at the towns. I conceived it proper for me to return, which I did, accompanied by Baroney, first to the Little Village; whence we were accompanied by Wind to the Big Village,

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where we remained all night at the lodge of Cheveux Blanche. Mr. Chouteau gave us all the news, after which I scrawled a letter to the general and my friends.

Sept. 3rd. Rose early, and went to the Little Village to breakfast. After giving my letters to Mr. Henry, and arranging my affairs, we proceeded, and overtook our party at two o'clock. They had left their first camp about four miles. Our horses being much fatigued, we concluded to remain all night. Sent out our red and white hunters, all of whom only killed two turkeys. Distance four miles.

Sept. 4th. When about to march in the morning one of our horses was missing; we left Sans Oreille, with the two Pawnees, to search for him, and proceeded till about nine o'clock; stopped until twelve o'clock, and then marched. In about half an hour I was overtaken and informed that Sans Oreille had not been able to find our horse; on which we encamped, and sent two horses back for the load. One of the Indians, being jealous of his wife, sent her back to the village. After making the necessary notes, Dr. Robinson and myself took our horses and followed the course of a little stream until we arrived at the Grand river, which was distant about six miles. We here found a most delightful basin of water, of 25 paces' diameter and about 100 in circumference, in which we bathed; found it deep and delightfully pleasant. Nature scarcely ever formed a more beautiful place for a farm. We returned to camp about dusk, when I was informed that some of the Indians had been dreaming and wished to return. Killed one deer, one turkey, one raccoon. Distance [made by the main party] 13 miles.

Sept. 5th. In the morning our Little Osage all came to a determination to return, and, much to my surprise, Sans Oreille among the rest. I had given an order on the chiefs for the lost horse to be delivered to Sans Oreille's wife, previously to my knowing that he was going back; but took from him his gun, and the guns from all the others also.

In about five miles we struck a beautiful hill, which bears south on the prairies; its elevation I suppose to be 100 feet. From its summit the view is sublime to the east and southeast. We waited on this hill to breakfast, and had to send two miles for water. Killed a deer on the rise, which was soon roasting before the fire. Here another Indian wished to return and take his horse with him; which, as we had so few, I could not allow, for he had already received a gun for the use of his horse. I told him he might return, but his horse would go to the Pawnees.

We marched, leaving the Osage trace, which we had hitherto followed, and crossed the hills to a creek that was almost dry. Descended it to the main [Little Osage] river, where we dined [vicinity of Harding]. The discontented Indian came up, and put on an air of satisfaction and content.

We again marched about six miles further, and encamped at the head of a small creek, about a half a mile from the water. Distance 19 miles [approaching Xenia, Bourbon Co., Kas.].

On the 6th of September Pike reached a point in Allen County, Kansas, and camped on the head of Elm Creek, near the present town of LaHarpe. He arrived at the Neosho, which he called White River, early on the 8th, and crossed it somewhere between Iola and Neosho Falls. On the 7th he marched twelve miles and camped on Eagle Creek near the east line of Lyon County. The head branches of the Verdigris were crossed on the 10th and 11th, the camp on the night of the 11th being on a tributary of the Cottonwood. The 12th brought the party to hunting-grounds of the Kansas Indians, on the Upper Cottonwood, and

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six buffaloes were killed. The Indians of the party said they would destroy all the game they could, being enemies of the Kansas. Large herds of buffalo were encountered on the 14th, in what is now Marion County. Pike would permit the slaughter of only enough of them to furnish food for his party, thinking the laws of morality against the wanton destruction of those noble game animals. On the 15th the expedition crossed the divide to the waters of the Smoky Hill, not far from the present Tampa, in Marion County. The Osage Indian objected to going into camp at one o'clock. From the manner in which the buffalo ran he supposed they were being chased by the Kansas Indians, of whom, it seems, he was afraid. The Smoky Hill was reached on the 17th, and crossed, at nine o'clock, at or near the town of Bridgeport, in Saline County. Pike expected the Pawnees to meet him on the 18th, but they did not come. The party made twenty-five miles and camped on Covert Creek, near the present town of Minneapolis. They remained here until the 21st, reading the Bible and Pope's Essays, and tattooing their arms with characters to remind them of their experiences in life. They were constantly expecting to see the Pawnees, under direction of Dr. Robinson, but they did not appear until the 24th. On the 25th Pike led his party up to the Republican Pawnee town. In his journey he had traversed Bourbon, Allen, Woodson, Coffey, Lyon, Chase, Marion, McPherson, Saline, Ottawa, Cloud, and Republic counties. The account of his reception there is very interesting:

When we arrived within about three miles of the village, we were requested to remain, as the ceremony of receiving the Osage into the towns was to be performed here. There was a small circular spot, clear of grass, before which the Osage sat down. We were a small distance in advance of the Indians. The Pawnees then advanced within a mile of us, halted, divided into two troops, and came on each flank at full charge, making all the gestures and performing the maneuvers of a real war charge. They then encircled us around, and the chief advanced in the center and gave us his hand; his name was Caracterish. He was accompanied by his two sons and a chief by the name of Iskatappe. The Osage were still seated; but Belle Oiseau then rose, came forward with a pipe, and presented it to the chief, who took a whiff or two from it. We then proceeded; the chief, Lieutenant Wilkinson, and myself in front; my sergeant, on a white horse, next with the colors; then our horses and baggage, escorted by our men, with the Pawnees on each side, running races, etc. When we arrived on the hill over the town we were again halted, and the Osage seated in a row; when each Pawnee who intended so to do presented them with a horse and gave a pipe to smoke to the Osage to whom he had made the present. In this manner were eight horses given. Lieutenant Wilkinson then proceeded with the party to the [Republican] river above the town, and encamped. I went up to our camp in the evening, having a young Pawnee with me loaded with corn for my men. Distance 12 miles. As the chief had invited us to his lodge to eat, we thought it proper for one to go. At the lodge he gave me many particulars, which were interesting to us, relative to the late visit of the Spaniards.

The sale of Louisiana by France to the United States was not pleasing to Spain. The westward inclination of the American people was well

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known to the Spaniards. The western borders of Louisiana were indefinite—at least, not agreed upon. The activity of the Government of the United States in the exploration of the wilderness empire caused apprehension in Mexico. In that province measures designed to discourage expeditions from the American settlements were taken. As Pike expresses it: "In the year 1806 our affairs with Spain began to wear a serious aspect." The details of Pike's expedition were carried to Mexico, and a force was organized and sent out to check it and counteract its influence on the Plains tribes. The Spanish force arrived at the Republican Pawnee village ahead of Pike, who adequately describes the objects and movements of it. That this situation may be plain, the statement of Pike is given at length:

I will attempt to give some memoranda of this expedition, which was the most important ever carried on from the province of New Mexico, and in fact the only one directed N. E. (except that mentioned by the Abbe Raynal in his History of the Indes) to the Pawnees—of which see a more particular account hereafter. In the year 1806 our affairs with Spain began to wear a very serious aspect, and the troops of the two governments almost came to actual hostilities on the frontiers of Texas and the Orleans territory. At this time, when matters bore every appearance of coming to a crisis, I was fitting out for my expedition from St. Louis, where some of the Spanish emissaries in that country transmitted the information to Majar, Merior, [*sic*] and the Spanish council at that place, who immediately forwarded the information to the then commandant of Nacogdoches, Captain Sebastian Rodreriques [*sic*], who forwarded it to Colonel [Don Antonio] Cordero, by whom it was transmitted to [General Don Nimesio Salcedo, at Chihuahua,] the seat of government. This information was personally communicated to me, as an instance of the rapid means they possessed of transmitting information relative to the occurrences transacting on our frontiers. The expedition was then determined on, and had three objects in view:

1st. To descend the Red river, in order, if he met our expedition, to intercept and turn us back; or, should Major Sparks and Mr. [Thomas] Freeman have missed the party from Nacogdoches, under the command of Captain Viana, to oblige them to return and not penetrate further into the country, or make them prisoners of war.

2d. To explore and examine all the internal parts of the country from the frontiers of the province of New Mexico to the Missouri between the La Platte [sentence unfinished].

3d. To visit the Tetaus, Pawnee republic, Grand Pawnees, Pawnee Mahaws, and Kans. To the head chief of each of those nations the commanding officer bore flags, a commission, grand medal, and four mules; and with all of them he had to renew the chains of ancient amity which was said to have existed between their father, his most Catholic majesty, and his children the red people.

The commanding officer also bore positive orders to oblige all parties or persons, in the above-specified countries, either to retire from them into the acknowledged territories of the United States, or to make prisoners of them and conduct them into the province of N. Mexico. Lieutenant Don Facundo Malgares, the officer selected from the five internal provinces to command the expedition, was a European (his uncle was one of the royal judges in the kingdom of New Spain), and had distinguished himself in several long expeditions against the Apaches and other Indian nations with whom the Spaniards were at war; added to these circum-

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stances, he was a man of immense fortune, and generous in its disposal, almost to profusion; possessed a liberal education, high sense of honor, and a disposition formed for military enterprise. This officer marched from the province of Biscay with 100 dragoons of the regular service, and at Santa Fe, the place where the expedition was fitted out, he was joined by 500 of the mounted militia of that province, armed after the manner described by my notes on that subject, and completely equipped with ammunition, etc., for six months; each man leading with them (by order) two horses and one mule, the whole number of their beasts was 2,075. They descended the Red river 233 leagues; met the grand bands of the Tetaus, and held councils with them; then struck off N. E., and crossed the country to the Arkansaw, where Lieutenant Malgares left 240 of his men with the lame and tired horses, while he proceeded on with the rest to the Pawnee republic. Here he was met by the chiefs and warriors of the Grand Pawnees; held councils with the two nations and presented them the flags, medals, etc., which were destined for them. He did not proceed to the execution of his mission with the Pawnee Mahaws and Kans, as he represented to me, from the poverty of their horses and the discontent of his own men; but, as I conceive, from the suspicion and discontentment which began to arise between the Spaniards and the Indians; the former wished to revenge the death of Villineuve and party, while the latter possessed all the suspicions of conscious villainy deserving punishment. Malgares took with him all the traders he found there from our country, some of whom, having been sent to Natchitoches, were in abject poverty at that place on my arrival, and applied to me for means to return to St. Louis. Lieutenant Malgares returned to Santa Fe the ..... of October, when his militia was disbanded; but he remained in the vicinity of that place until we were brought in, when he, with dragoons, became our escort to the seat of government [in Chihuahua].

The Pawnees were not cordial in their demeanor toward the Americans. On the 26th Pike moved his camp to the top of a hill overlooking the Pawnee town, where he could see what was transpiring there. In the afternoon twelve Kansas Indians came in, having heard that an American officer was at the Pawnee village. A council between the Kansas and Osages was set for the 28th, and the representatives of those tribes present were made to smoke the pipe of peace. The great council with the Pawnees was held on the 29th of September. At this meeting there occurred an important incident, and concerning which much has been said in recent years. Here it is described in Pike's own words:

Sept. 29th. Held our grand council with the Pawnees, at which were present not less than 400 warriors, the circumstances of which were extremely interesting. The notes I took on my grand council held with the Pawnee nation were seized by the Spanish government, together with all my speeches to the different nations. But it may be interesting to observe here, in case they should never be returned, that the Spaniards had left several of their flags in this village, one of which was unfurled at the chief's door the day of the grand council; and that among various demands and charges I gave them was, that the said flag should be delivered to me, and one of the United States' flags be received and hoisted in its place. This probably was carrying the pride of nations a little too far, as there had so lately been a large force of Spanish cavalry at the village, which had made a great impression on the minds of the young

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men, as to their power, consequence, etc., which my appearance with 20 infantry was by no means calculated to remove.

After the chiefs had replied to various parts of my discourse, but were silent as to the flag, I again reiterated the demand for the flag, adding "that it was impossible for the nation to have two fathers; that they must either be the children of the Spaniards, or acknowledge their American father." After a silence of some time an old man rose, went to the door, took down the Spanish flag, brought it and laid it at my feet; he then received the American flag, and elevated it on the staff which had lately borne the standard of his Catholic Majesty. This gave great satisfaction to the Osage and Kans, both of whom decidedly avow themselves to be under American protection. Perceiving that every face in the council was clouded with sorrow, as if some great national calamity were about to befall them, I took up the contested colors, and told them "that as they had shown themselves dutiful children in acknowledging their great American father, I did not wish to embarrass them with the Spaniards, for it was the wish of the Americans that their red brethren should remain peaceably around their own fires, and not embroil themselves in any disputes between the white people; and that for fear the Spaniards might return there in force again, I returned them their flag, but with an injunction that it should never be hoisted again during our stay." At this there was a general shout of applause, and the charge was particularly attended to.

There is information in the account by Lieutenant Wilkinson not found in the record made by Pike, and it is given:

Early on the morning of the 25th we were joined by a few more savages of distinction, headed by the brother of Characterish, or White Wolf, chief of the nation, who was to act as master of the ceremonies to our formal entry. Preparatory to our march, we had our men equipped as neatly as circumstances would admit. About mid-day we reached the summit of a lofty chain of ridges, where we were requested to halt and await the arrival of the chief, who was a half a mile from us, with 300 horsemen, who were generally naked, except buffalo robes and breech cloths, and painted with white, yellow, blue, and black paint. At the word of the chief the warriors divided, and, pushing on at full speed, flanked us on the right and left, yelling in a most diabolical manner. The chief advanced in front, accompanied by Iskatappe, or Rich Man, the second great personage of the village and his two sons, who were clothed in scarlet cloth. They approached slowly, and when within 100 yards the three latter halted; Characterish advanced in great state, and when within a few paces of us stretched out his hand and cried, "*Bon jour.*" Thus ended the first ceremony. We moved on about a mile further, and having gained the summit of a considerable hill, we discovered the village directly at its base. We here were again halted, and the few Osages who accompanied us were ordered in front and seated in rank entire. The chief squatted on his hams in front of them and filled a calumet, which several different Indians took from him and handed the Osages to smoke. This was called the horse-smoke, as each person who took the pipe from the chief intended to present the Osages a horse. Mr. Pike and Dr. Robinson afterward accompanied the chief to his lodge, and I moved on with the detachment and formed our camp on the opposite bank of the Republican fork of the Kansas river, on a commanding hill which had been selected as the most favorable situation for making observations, though very inconvenient on account of wood and water, which we had to transport nearly a quarter of a mile.

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At a council held some few days after our arrival, Lieutenant Pike explained to them the difference of their present situation and that of a few years past; that now they must look up to the president of the United States as their great father; that he [Pike] had been sent by him [Jefferson] to assure them of his good wishes, etc.; that he perceived a Spanish flag flying at the council-lodge door, and was anxious to exchange one of our great father's for it; and that it was our intention to proceed further to the westward, to examine this, our newly acquired country. To this a singular and extraordinary response was given—in fact, an objection started in direct opposition to our proceeding further west; however, they gave up the Spanish flag, and we had the pleasure to see the American standard hoisted in its stead.

At the same council Characterish observed that a large body of Spaniards had lately been at his village, and that they promised to return and build a town adjoining his. The Spanish chief, he said, mentioned that he was not empowered to council with him; that he came merely to break the road for his master, who would visit him in the spring with a large army; that he further told him the Americans were a little people, but were enterprising, and one of those days would stretch themselves even to his town; that they took the lands of Indians, and would drive off their game; "and how very truly," said Characterish, "has the Spanish chieftain spoken!" We demanded to purchase a few horses, which was prohibited, and the friendly communication which had existed between the town and our camp was stopped. The conduct of our neighbors assumed a mysterious change; our guards were several times alarmed, and finally appearances became so menacing as to make it necessary for us to be on our guard day and night.

It was obvious that the body of Spaniards, who preceded us but a few weeks in their mission to this village, were the regular cavalry and infantry of the province of Santa Fee, as they had formed their camps in regular order; also we were informed they kept regular guards, and that the beats of their drum were uniform morning and evening. The Spanish leader, further delivered to Characterish a grand medal, two mules, and a commission bearing the signature of the governor, civil and military, of Santa Fee. He also had similar marks of distinction for the Grand Pawnees, the Pawnee Mahaws, Mahaws Proper, Otos, and Kanses.

This Pawnee village was not one of great age. It was situated in the Pawnee country, and the regions surrounding it had doubtless been in possession of the Pawnee people for a long period of time—perhaps centuries. And the Republican Pawnees were of recent origin. About the year 1795 a warrior of the Grand Pawnees, or Pawnees Proper, became dissatisfied with the administration of affairs in the chief town of his nation, which was on the south side of the River Platte, about eighty miles up from the Missouri. He formed a faction in his interest, and the town was divided. The warrior led his adherents westward and founded the town and the division of the tribe denominated as the Republican Pawnees. He was ruler of the people and the town for some years, and until the arrival of a regular chief of the Grand Pawnees, probably from the town where the secession had occurred. This chief usurped the power of the warrior who had founded the new town and people. The followers of these two rulers were arrayed in hostile factions or parties even to the date of Pike's visit. The village then contained about three hundred warriors, and a population of fourteen hundred. Why they were called the Repub-

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lican Pawnees is not known. They may have been so designated by French traders, and they may have accepted the name so bestowed. It is not improbable that some trader, finding himself losing business in the barter at the Grand Pawnee town on the Platte, induced the warrior to follow him to the Republican and there set up a town in his interest—where he should have a monopoly of the trade. The Osages were so divided by the Chouteaus. The Republican Pawnees maintained friendly relations with their mother town and their relatives there. Both towns were at war with the Pawnee Picts, the Great and Little Osages, the Kansas, the Sioux, the Aricarees, and the Comanches. And both were on terms of amity with the Loups, the Omahas, the Poncas, the Missouris, and the Iowas. There seems to have been other Republican Pawnee towns, but the inhabitants therein must have returned to the mother-village about a year before Pike's visit.

The incident of the flag came to be a matter of pride to the Kansas people. There is nothing just like it in the history of any other State. In 1896 the citizens of two townships about the site of this old Indian Village formed "The Pawnee Republic Historical Society." The exact location of the village was determined. It was found to be on the south bank of the Republican River, in Republic County, Kansas, and on land owned by George Johnson and his wife Elizabeth. They deeded a portion of it, described as follows, to the State of Kansas, in order that the State might erect and maintain a suitable monument to mark the spot where the Spanish flag was hauled down and the American flag hoisted to take its place on the soil of Kansas:

"Beginning at a point six chains west of the southeast corner of the northeast quarter of section 3, township 2 south, of range 5 west; thence west sixteen chains, thence north seven chains, thence east sixteen chains, thence south seven chains to the place of beginning, containing eleven and two-tenths acres, more or less, being in the site of Pike's Pawnee Indian village."

The Pawnee Republic Historical Society appears to have labored under the impression that the Pike incident was "the first raising of the American flag on Kansas territory." Of this assumption there is no evidence, and the probabilities are entirely against it. Lewis and Clark no doubt raised the first American flag on what is now Kansas soil at the mouth of the Kansas River, in the limits of Kansas City, Kansas, June 26th, 1804. But the Legislature appropriated the sum of $3,000 for the erection of a monument on the tract of land so conveyed. The act was approved February 14, 1901. The corner-stone of the monument was laid with impressive ceremonies by the Kansas Grand Lodge of Free Masons, under the auspices of Belleville Lodge No. 129, on the 4th of July, 1901. The monument was completed, and on the 29th of September, 1901, it was dedicated—ninety-five years from the day Pike there hoisted the Stars and Stripes to proclaim the sovereignty of the United States over the soil which became Kansas.

In the year 1906 there was held a Centennial Celebration of the raising of the American flag at the Pawnee village by Pike. The ceremonies of

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this celebration occupied four days. Those on the 26th of September were conducted by the Woman's Kansas Day Club. September 27th was Historical Day. On the 28th the ceremonies were in charge of the Grand Army of the Republic, Department of Kansas, and the public schools of the State devoted an hour to the subject of "Pike and the Flag." The day of the anniversary—the 29th—there was an immense gathering of people present. The principal address was delivered by Governor E. W. Hoch on the subject "This Country of Ours." There were other speakers, and there were exercises for the entertainment and amusement of the people. The whole celebration was largely supervised by George W. Martin, Secretary of the Kansas State Historical Society. And the Society is charged with the oversight and care of the monument and grounds for all time.

The Republican Pawnee village was destroyed, many of the inhabitants slain and the remainder driven north of the Platte, by the Delaware Indians, in 1832. In the account of that tribe details of the battle between the Delawares and the Pawnees will be found.

The force of Pike at the Pawnee town was made up of two officers, the surgeon, eighteen soldiers, one interpreter, three Osage warriors, and one Osage woman. The hostility of the Pawnees increased daily. On the first of October Pike found it necessary to have a lengthy conference with the Pawnee Chief. The chief urged him to turn back and make no further advance towards the Spanish possessions, saying that he had prevented the Spanish force from continuing its advance towards the American settlements. He finally said he would stop Pike by force if he did not turn back. But Pike was firm with the savage chieftain, and declared that he would proceed, and if attacked he would fight to the death—the answer to be expected of an American soldier. But he returned to his camp with an anxious mind. It was with much difficulty that the required number of horses to continue the expeditions could be obtained from the Pawnees. On the 4th of October two French traders arrived at the village, bringing intelligence of the return to St. Louis of the Lewis and Clark expeditions.

Pike prepared to march on the 7th, but found on that morning that two of his horses had been stolen during the night. One was soon returned, but the other was not recovered. The expedition marched at two o'clock, going around the Indian town, with the men under orders for their action if attacked by the Pawnees. The savages were to be allowed to approach to within five or six paces, then the men were to fire and charge with the bayonet and saber. Pike believed he could thus kill one hundred Indians before his command was exterminated. He rode to the lodge of the chief with one soldier and the interpreter

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to demand the return of the stolen horse, which was not forthcoming. Pike left the Republican Pawnee village with the hope that he might be sent back at some future day to deal with the Pawnees with an iron hand.

The expedition followed the Pawnee Trail to the Arkansas River. On the route Pike found camps lately occupied by the Spanish expedition. The journal of his journey south is full of interest. To reach the Arkansas he passed through Jewell, Mitchell, Lincoln, Russell, Ellsworth, and Barton counties. The river was reached on the 18th of October, at a point near Great Bend, and the expedition remained in camp until the 28th. From this point Lieutenant Wilkinson descended the Arkansas in canoes made from the skins of the buffalo and the elk. Pike went up the Arkansas, marching on the north bank. On the first of November a herd of wild horses was seen. An attempt to capture some of the horses was made on the second. This was probably in Edwards County, near the Kiowa line. The party had crossed to the south bank of the river on the 30th of October, and the march was on that bank to the site of the future Pueblo, Colorado. The west boundary line of Kansas was crossed on the 11th of November. The Kansas counties traversed to this line, along the Arkansas, are Barton, Pawnee, Edwards, Kiowa, Ford, Gray, Finney, Kearny, and Hamilton.

On the 23d of November Pike camped on the site of Pueblo, and on the 24th he erected a small breastwork on the fortification over which our flag was raised—the first structure erected by Americans in Colorado. After the erection of the fort he set out with a party to ascend and explore the mountain now known as Pike's Peak. He supposed that he should arrive at the foot of the mountain that day, which he, of course, did not do. On the 27th he reached the top of the Front Range of the Rocky Mountains, the base from which his "Grand Peak" projects itself into the clouds. The peak was constantly receding. Standing in the snow waist-deep on the summit of the main chain, he saw the base of the peak fifteen miles away. His men were not clothed for such a trip as it would have required to reach the peak. It was his belief that no human being could have ascended to its pinnacle. The great mountain had been swimming in sunshine, while clouds rode the storms contending about its foundations. But now they were carried up and about the summit, hiding it from the gaze of man, and wrapping it in a maze of mystery. Pike came down from the height which he had attained and returned to his camp at Pueblo. He was not the first white man to see this peak, for it had been long known to the Spaniards. He did not give it any name beyond the Grand Peak. But his fellow-Americans called it Pike's Peak—an immortal monument to the American soldier and explorer.

It is not in the province of this work to follow particularly the route of Lieutenant Pike from his camp at Pueblo. He penetrated the country claimed by the Spaniards, was captured, and was carried into Mexico. He was released by the Spanish authorities, returned to the United

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States, and arrived at Natchitoches, in what is now Texas, July 1st, 1807. Here is what he said on his arrival there:

"Language cannot express the gayety of my heart when I once more beheld the standard of my country waved aloft. 'All hail!' cried I, 'the ever sacred name of country, in which is embraced that of kindred, friends, and every other tie which is dear to the soul of man!' "

The accounts of Pike's expeditions were published in 1810. They were widely read, and they proved of great interest to the people, especially to those Americans who had settled west of the Mississippi. The possibilities of trade overland with Northern Mexico were there first revealed, and the development of those possibilities produced a commerce unique in American history. Lieutenant Pike's name is forever linked with the Great West, and especially with Kansas and Colorado. And the mighty peak overlooking the Great Plains is the monument to his everlasting fame.

AUTHORITIES

The principal authority consulted in the preparation of this chapter is *The Expeditions of Zebulon Montgomery Pike,* edited by Dr. Elliott Coues, three volumes, Francis P. Harper, New York, 1895. It is one of the great authorities on Western history.

The work next in importance is Discoveries made in *Exploring the Missouri, Red River and Washita by Captains Lewis and Clark, Doctor Sibley, and Mr. Dunbar,* Washington, 1806. This book contains much of value pertaining to the Western Indians of that day. The copy in the Library of the Kansas State Historical Society was once the property of John Randolph, of Roanoke.

Kansas Historical Collections contain much on this subject, especially volumes X and XI. The articles by John B. Dunbar are of the highest order.

For local information the *History of Republic County, Kansas,* is good authority for locations as now identified with the expedition of Pike. The book was written by I. O. Savage, and published at Beloit, Kansas, in 1901.

The History of Vernon County, Missouri, by R. I. Holcomb, Brown & Co., St. Louis, Mo., 1887, contains much of value about the Osages in Pike's time. It is one of the best of county histories.

In addition to the above I consulted various local works and the extensive files in the Library of the Kansas State Historical Society.

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CHAPTER VI

LONG

A scientific expedition commanded by Major Stephen H. Long visited the country later to become Kansas in the years 1819 and 1820. The expeditions of Lewis and Clark and Lieutenant Pike had added much to the geographical knowledge of the country. The Government evidently believed it was in duty bound to secure as much information as possible concerning the extensive regions known as Louisiana, so the expedition in the interest of the scientific features of the country was organized and sent out. Some other portions of the United States were included in the scope of the work assigned Major Long, but the principal work was done in Louisiana. The country west of the Mississippi assigned this expedition for exploration extended from the Red River flowing north of Texas to the Platte, and westward to the summit of the Rocky Mountains—much of it later included in Kansas. It was an extensive domain, and was still almost an unbroken wilderness.

The expedition was sent out by John C. Calhoun, then Secretary of War, and was made up as follows:

Stephen H. Long, Major U. S. Engineers, commanding.

J. R. Bell, a Captain in the expedition, but a Lieutenant of Artillery, and the Journalist of the expedition.

W. H. Swift, Lieutenant of Artillery Assistant Topographer, and commanding the guard.

T. Say, Zoologist, etc.

E. James, Botanist, Mineralogist, and Surgeon.

T. R. Peale, Assistant Naturalist.

S. Seymour, Landscape Painter, etc.

Joseph Bijeau, Guide, and Interpreter.

H. Dougheary, Hunter.

Abram Ledoux, Farrier and Hunter.

Stephen Julien, Interpreter.

Zachariah Wilson, Baggage Master.

Duncan J. Oakeley, and D. Adams, Engagees.

John Sweney, Private of the Corps of Artillery.

Joseph Verplank, William Parish, Robert Foster, Mordecai Nowland, Peter Bernard, and Charles Myers, Privates of the Rifle Regiment, Pack-horse Men, and Hunters.

The movements of the expedition which in any way relate to Kansas began at Fort Osage, located near the site of the present town of Sibley,

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Jackson County, Mo. It was desired that the country from Fort Osage to the Platte should be explored, examined, and described, and for that purpose a party was sent inland from the Fort with instructions to ascend the Kansas River (called in the record Konzas River) to the town of the Kansas Indians. From that point this party was to continue overland to the Pawnee towns on the Platte. This party consisted of Mr. Say (in command), Mr. Jessup, Mr. Peale, Mr. Seymour, Mr. Swift, Mr. J. Doughearty, and five soldiers. They were accompanied by a Major Biddle and his servant. They were supplied with provisions for ten days and given three pack-horses to transport their supplies and baggage. They left Fort Osage on the 6th of August, 1819.

Having dispatched this detachment overland, the expedition continued its course up the Missouri in its steamboat, the Western Engineer. The departure from Fort Osage was on the 10th of August. The mouth of the Kansas River was reached on the 12th, and found to be so filled with mud from the recent flood in the Missouri that the boat could scarcely effect an entrance. It was with difficulty that the stream was ascended a mile, from which point the steamboat came back to the Missouri. This is the first steamboat known to have disturbed the virgin waters of the Kansas River.

The rudeness of the white hunters and trappers then operating on the Missouri was well illustrated by the manners of a party of trappers found in camp a few miles above the mouth of the Kansas River. In deportment and dress they were more savage than the Indians among whom they spent their lives. The expedition noted the places visited and described by Lewis and Clark. The old Kansas village between high points of land, with the chimneys, of the vanished French cabins standing like skeleton sentinels, was observed as a place of interest. At Cow Island, Captain Wyly Martin was found with three companies of soldiers. He had been in camp there awaiting supplies since the previous October. The soldiers had killed three thousand deer and much other game during the winter.

From Fort Osage a messenger had been sent across the country to the village of the Kansas Indians to summon that tribe to a council at Cow Island. The Indians were expected on the 18th of August, but as they were on a hunting excursion when the messenger arrived at their town, they were delayed in their journey, not appearing until the 23d. An arbour had been erected on the ground where the council was to be held. On the 24th more than one hundred and fifty of the Kansas Indians assembled there and were addressed by Major O'Fallon, the Indian Agent for that region. They were accused of insolence towards the white people and of having committed depredations against them. These charges they admitted to be true, but they promised to cease such practices and to make amends. The most distinguished chiefs of the tribe were present—Long Neck, Little Chief, Big Knife, and Plume Blanche, or White Plume. The latter was then just rising to prominence in the tribe, and later he became one of its greatest chiefs. The peace effected by Lieutenant Pike between the Kansas and the Osages still

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continued, and there were thirteen Osages with the Kansas at the council. All the Indians were interested in the demonstrations made by the steamboat, the construction of which was calculated to cause astonishment in those primitive inhabitants of the Plains. The bow of the boat was in the form of a serpent of giant size, having a carved head reared as high as the boat's deck. Smoke was forced out of the mouth of the monster, and the Indians believed the craft to be a huge serpent carrying the boat on its back. The council and the entertainments continued for some time. Presents were distributed. The Indians were satisfied with the articles given them, and they finally departed with expressions of gratitude and friendship.

The expedition made some addition to its force at Cow Island, securing fifteen soldiers provisioned for sixty days and carried on a keelboat. All set sail on the 25th of August, and aided by a favorable wind, made a distance of twenty-three miles, camping at the mouth of Independence Creek. The site of the ancient Kansas village was visited, and it is noted on the Journal of the expedition that the town had formerly been called the village of the Twenty-four.

On the first of September the expedition was encamped at the mouth of Wolf River, in what is now Doniphan County, Kansas. The machinery of the steamboat was in process of repair and adjustment. The hunters came in with a deer, a turkey, and half a barrel of honey taken from the homes of three swarms of wild bees. The boat then got under way, and had gone a little distance from the encampment when a messenger, Mr. Doughearty, hailed from the shore. The boat put to, and found a party awaiting to report the progress made by the detachment sent overland from Fort Osage. This party, which had followed the boat, consisted of Mr. Doughearty, Mr. Peale, Mr. Swift, Mr. Seymour, the Interpreter Chaboneau, and one of the soldiers. The overland detachment had reached Cow Island five days after the departure of the main expedition on the steamboat, and had followed up the river in the hope of overtaking it.

The detachment sent out overland had left Fort Osage on the 6th of August, as we have seen. It consisted of twelve men and a boy, and had three pack-horses to carry baggage. It took its way over the virgin prairies east of the Big Blue, in what is now Jackson County, Missouri, coming out on the fine plains of Johnson County, Kansas. It followed the high lands dividing the waters of the Kansas River from the streams to the south, much of the distance being along the route later followed by the Santa Fe Trail. On the larger creeks of the way were found numerous abandoned camps of Indians. These were usually in the horse-shoe bends, where the water on all sides afforded a protection against surprise. But no Indians were encountered. About the head branches of the Wakarusa (written at that time Warreruza) much game was found and many rattlesnakes killed. Flocks of ravens appeared in that region, and the large green flies became a plague. The detachment came upon the highlands bounding Mill Creek, on the 11th of August, and from these hills had a fine view of the fertile valley of

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that stream, then known as Full Creek, or the Wahrengeho. The head waters of some of the branches of Mill Creek were gone around, and the poverty of the rocky ridges bearing west was noted. And the absence of timber was considered cause for remark. The detachment must have crossed Mill Creek near the present town of Alma, going thence directly north, and reaching the Kansas River on the night of the 13th. Owing to sickness which had attacked some of the men only two miles were made on the 14th. On the 16th considerable progress was made in the ascent of the Kansas River, the record showing an advance of some fifteen miles, though the actual distance covered must have been much less. The detachment was at this time in a measure lost, not knowing the exact location of the Kansas village nor their own position in relation to it. From the camp a detail was sent out to determine whether the Kansas town had been reached or had been passed, but as nothing was found to throw light on that subject, the whole party moved on. The Kansas River was crossed and re-crossed in the fruitless search for the Indian town. The company beat aimlessly about, going both up and down the river in the vain quest of some traveled way. On the 18th, being on the north side of the river, such a path was discovered, and on the 19th, bearing up the river, over a broad prairie, the Vermilion was reached. It was found to be four feet deep and twenty yards wide. Along its course were scattered oaks, and the country bore a park-like appearance. On the banks of the Vermilion the party dined on the flesh of a black wolf, the only game found that day.

The movement of the detachment must have been exceedingly slow, for the Kansas village was not sighted until late on the 18th. Upon coming within view of it the party halted to examine its firearms, not knowing the nature of the reception which might be accorded it, a party of the Kansas Indians having been recently defeated at Cow Island by the soldiers stationed there. Coming into closer proximity, the tops of the lodges were seen to be crowded with Indians. And soon the chiefs and warriors, painted in war fashion and decked with feathers and plumes, dashed out on horseback to meet and welcome the strangers. A throng of natives on foot followed the mounted party. The Americans were met with cordial demonstrations and escorted into the Indian town. There they were assigned a commodious lodge. The crowds followed them in and were kept back by a rank of the chiefs and principal men. After smoking the pipe of amity and friendship with the chiefs, the Americans explained the objects of their visit. Permission to pass on through the country was requested, and this was readily granted. Jerked buffalo meat and boiled corn were served to the strangers, after which they were invited to attend six feasts in quick succession.

It was found that the Indians were preparing to visit Cow Island to meet the main expedition, having been summoned by Chaboneau and another Frenchman sent out from Fort Osage for that purpose. After dispatching runners to Cow Island to acquaint the expedition that a party would soon appear there, the chiefs and some of the head war-

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riors set out to keep the appointment, which it did, as has been shown. But before they departed complete arrangements were made for the comfort and convenience of their white guests.

The detachment, under command of Mr. Say, remained at the Kansas village until the 24th. Much of the time was spent in studying the habits and customs of the Indians dwelling there. The town was in the bottom some two miles below the mouth of the Big Blue (or Blue Earth River, as it was then called) and about a quarter of a mile from the north bank of the Kansas River. A captive Pawnee was purchased from the Kansas Indians to be taken and restored to his family in the Pawnee towns. Setting out in the afternoon of the 24th, the detachment followed up the east bank of the Big Blue River a distance of some seven miles, and there camped in a fine bottom. Hunters were sent out to procure game, and the commander sat down to a meager dinner. A sentry called attention to a whirling dust-cloud approaching over the rolling plain. A close scrutiny of this agitated cloud revealed a charging band of Indians. The sudden and unexpected flight of the Kansas Indians made it certain that the visitors were at least hostile to that tribe. The Americans were hastily thrown into line, where they prepared to defend themselves. The charging savages were in battle garb, but approached the Americans in the most friendly manner, making the most ardent avowals of peaceful intentions. These pacific professions were not, however, borne out by their subsequent conduct. These treacherous savages proved to be a band of Republican Pawnees from Pike's village on the Republican River, and they began to steal and plunder whatever they could seize upon. They numbered about one hundred and forty, and they soon got possession of the horses of the Americans, when they made off across the plains with the same speed which had carried them in upon the unsuspecting encampment.

The loss of these horses put an end to the further prosecution of the overland expedition. There was no alternative but to return to the sheltering village of the faithful Kansas. On the way there they met the Kansas chief, who had so precipitately fled, returning with a bunch of warriors to aid in the conflict with the Pawnees. He followed the trail of the retreating savages for some time and recovered some stolen goods flung away in the mad ride to get clear of their pursuers.

Upon their return to the Kansas town the Americans were again kindly received and assigned to a lodge. Into this lodge a motley throng of Indians in fantastic adornment crowded as the Americans were retiring to rest. They were dancers, and the dog dance was performed with all its savage ceremonies. Yells and barbarous music broke up the night.

There was nothing left for the detachment but to try to form a junction with the main body of the expedition. Having secured two packhorses to transport the baggage and a saddle-horse to bear Mr. Say, the journey back to Missouri was begun on the 25th. A direct route to Cow Island was taken, which carried them over the Grasshopper near the present town of Valley Falls. Cow Island was reached on the 29th,

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but the boat, with Major Long's party, had been gone some time. At Mr. Dougherty's suggestion the overland party started under his command to overtake the boat, which it fortunately did at the mouth of Wolf River.

In going to the Kansas Indian town the overland party passed through Johnson, Douglas, Shawnee, Wabaunsee, and Pottawatomie counties. In the return journey to Cow Island it traversed Pottawatomie, Jackson, Jefferson and Leavenworth counties. To overtake the boat it passed out of Leavenworth, crossed Atchison, and entered Doniphan.

The reunited party ascended the Missouri River in the steamboat. As the season was late it was necessary soon to prepare for winter. The point selected for winter quarters was on the west bank of the Missouri, about fifteen miles above Council Bluffs, and three miles above the mouth of Boyer River, which falls in from the east or Iowa side. It was half a mile above Fort Lisa. The camp was named Engineer Cantonment. Councils were held with various Indian tribes, and much scientific data was gathered. By order of the Secretary of War further exploration up the Missouri River was abandoned for the time, and the expedition was directed to explore the Platte to its sources—then return by the Red River to the Mississippi. On the 6th of June, 1820, Engineer Cantonment was dismantled and deserted, and the expedition took up the trail for the Pawnee towns. There was nothing of vital importance to Kansas history in this tour, until the 12th of July, when the Grand Peak of Lieutenant Pike's exploration was sighted. On the 13th Dr. James was furnished four men, and he departed with the purpose of ascending the peak. Two of these men were to be left with the horses at the foot of the mountain, and two were to go on with Dr. James to the summit. At noon the party dined at Manitou Springs—called then, Boiling Springs. The ascent of the mountain began there. The night was spent on a steep slope, in much discomfort, because of the cold. On the 14th the party early began the final and most difficult climb. The day was bright, and as the party rose above the minor elevations a grand panorama revealed itself. At four o'clock the summit was reached—for the first time, so far as is known, by Americans. The party remained less than an hour there, but in that time many important observations were made. Major Long called this snow-capped sentinel of the Great Plains James's Peak, but this name did not stick. With an unerring sense of justice the people called it Pike's Peak, and it is Pike's Peak now and ever more.

One of the objects of Long's expedition was to discover the sources of the Red River which flows on the north boundary of Texas. On the 18th of July the whole company began the descent of the Arkansas River, leaving the grand and interesting mountains at their backs. Preparations were made on the 21st to divide the party, one detachment to continue to descend the Arkansas, while the other should strike south to come upon the head branches of Red River. The separation occurred on the 24th, when Major Long with his party crossed the

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Arkansas and turned to the south. There was at that time a confusion of the head waters of the Canadian, sometimes called Red or Colorado River in its upper reaches, with the sources of the Red River flowing along the north line of Texas. Major Long supposed he was descending and exploring the latter stream, when he was in fact all the time on the Canadian, the mouth of which he reached on the 10th of September, 1820. The Spaniards had probably known the true courses of these two rivers for many years, but correct geographical knowledge of the Canadian was first secured to the Americans by Major Long.

The other division of the expedition was composed of Captain Bell, Mr. Say, Mr. Seymour, Lieutenant Swift, the three Frenchmen, Bijeau, Le Doux, and Julien, and five soldiers. It continued down the Arkansas, passing through all the present counties of Kansas bordering that stream. The south line of the State was crossed on the 17th of August. Wild horses were seen. Great herds of buffalo were encountered. In the record of the journey may be found much relating to the wild tribes. The parties of the expedition were reunited at the mouth of the Canadian on the 13th of September. The company entire continued down the Arkansas River to Fort Smith, from which point it went across the country to Cape Girardeau, where it arrived on the 10th of October.

The expedition of Major Long made some discoveries, but not many, and what were made were of little comparative importance. A vast amount of scientific data was secured, and the knowledge obtained about the various tribes of Western Indians becomes more valuable with the passing years.

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CHAPTER VII

THE GREAT AMERICAN DESERT

At one period after the geography of the West was fairly well known, all the country embraced in the State of Kansas was supposed to be unfit for habitation—at least unfit for habitation by a civilized people. This erroneous conception of the country continued down to comparatively recent times. And even when the State was first settled it was not thought that the western portion of it would ever become an agricultural country. This false impression resulted from an inexact knowledge of the regions extending from the Missouri River to the Pacific Ocean. That deserts existed in those countries—and do still exist—must be admitted. The writers and geographers of those days did not know the exact locations of those desert wastes. They were supposed to begin at the Missouri River and to be continuous to the Rocky Mountains, while in fact they principally began with those mountain ranges and lay to the west of them. That there were sandy wastes eastward from the Rocky Mountains is well established, and to this day there are extensive districts along the Arkansas River in Kansas, designated as "Sand Hills."

Perhaps Lieutenant Pike was to some extent responsible for the legend "The Great American Desert," which adorned the maps of the school Geographies published in the early part of the nineteenth century. His reports are extremely interesting, and they were widely read. And they were consulted, no doubt, by the authors of those same Geographies. His language is not ambiguous, and neither is it exact in all mentions of localities. Especially is this true of his summing up. In the following instance, however, he is definite enough in his designation.

> In this western traverse of Louisiana, the following general observations may be made; viz: that from the Missouri to the head of the [Little] Osage river, a distance in a straight line of probably 300 miles, the country will admit of a numerous, extensive and compact population; thence, on the rivers Kansas, La Platte, Arkansaw, and their various branches, it appears to me to be only possible to introduce a limited population on their banks. The inhabitants would find it most to their advantage to pay attention to the multiplication of cattle, horses, sheep, and goats, all of which they can raise in abundance, the earth producing spontaneously sufficient for their support, both winter and summer, by which means their herds might become immensely numerous; but the wood now in the country would not be sufficient for a moderate share of population more than 15 years, and it would be out of the question to think of using any of it in manufactures; consequently, the houses would

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be built entirely of mud-brick [adobe] like those in New Spain, or of the brick manufactured with fire. But possibly time might make the discovery of coal-mines, which would render the country habitable.

In reasoning as to the cause of the absence of timber from the prairies, he so wrote that a confusion of localities was possible in the minds of readers—and even students.

Numerous have been the hypotheses formed by various naturalists to account for the vast tract of untimbered country which lies between the waters of the Missouri, Mississippi, and the Western Ocean, from the mouth of the latter river to 48° north latitude. Although not flattering myself to be able to elucidate that which numbers of highly scientific characters have acknowledged to be beyond their depth of research, still I would not think I had done my country justice did I not give birth to what few lights my examination of those internal deserts has enabled me to acquire. In that vast country of which I speak, we find the soil generally dry and sandy, with gravel, and discover that the moment we approach a stream the land becomes more humid, with small timber. I therefore conclude that this country never was timbered; as, from the earliest age the aridity of the soil, having so few water-courses running through it, and they being principally dry in summer, has never afforded moisture sufficient to support the growth of timber. In all timbered land the annual discharge of the leaves, with the continual decay of old trees and branches, creates a manure and moisture, which is preserved from the heat of the sun not being permitted to direct his rays perpendicularly, but only to shed them obliquely through the foliage. But here a barren soil, parched and dried up for eight months in the year, presents neither moisture nor nutrition sufficient to nourish the timber. These vast plains of the western hemisphere may become in time as celebrated as the sandy deserts of Africa; for I saw in my route, in various places, tracts of many leagues where the wind had thrown up the sand in all the fanciful form of the ocean's rolling wave, and on which not a speck of vegetable matter existed.

While it is not likely that he had seen "Tracts of many leagues where the wind had thrown up the sand in all the fanciful form of the ocean's rolling wave" at any point in the country which later became known as the "Prairies" of the "Prairies region" his final conclusion might lead any student of his travels having no other source of information to think he had:

But from these immense prairies may arise one great advantage to the United States, viz.: the restriction of our population to some certain limits, and thereby a continuation of the Union. Our citizens being so prone to rambling and extending themselves on the frontiers will, through necessity, be constrained to limit their extent on the west to the borders of the Missouri and Mississippi, while they leave the prairies incapable of cultivation to the wandering and uncivilized aborigines of the country.

The school geographies were based on such information as Pike and other explorers furnished. Having had no personal experience on the Western prairies they were unable to say just what bounds these deserts had and where they were in fact located. There are extensive deserts in

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the Southwest now—in New Mexico, Arizona, California, and other states. There are immense tracts covered with drifting sand and cacti: horned toads and rattlesnakes. But if water for irrigation can be developed those deserts become fertile fields and blooming gardens.

An examination of the old maps in the school geographies of the first half of the nineteenth century reveals "The Great American Desert" in various localities and with ever varying bounds. *A Modern Atlas on a New Plan to Accompany the System of Universal Geography,* by William Channing Woodbridge, Hartford, Oliver D. Cooke & Co., 1831, was largely used throughout the country in its time. In it the Map of the United States shows "The Great American Desert" extending from the west line of Arkansas Territory and of Missouri to the Rocky Mountains. And from the Platte to the Red River. On the desert, as thus defined, is marked this inscription: "The desert is traversed by herds of Buffaloes & wild Horses & inhabited only by roving tribes of Indians." And this map marks all the country of the United States west of the Mississippi except Louisiana, Arkansas, and Missouri, as "Missouri Territory."

By the year 1839, the "desert" had contracted its bounds. In that year was published in New York, *Smith's Atlas, Designed to Accompany the Geography, by R. S. Smith, A. M.* On the Map of the "United States and Texas," the "Great American Desert" is delineated as embracing the Panhandle portion of Texas and the country west of the 101st meridian to the Rocky Mountains—and from the Arkansas to the Platte, following the North Fork of the Platte. The country west of the Arkansas and Missouri, and between the Platte and the Texas line, is called the "Indian Territory." The north line of Texas was then as now, except that it reached the Arkansas, which it followed to the source. A part of the country north of the Platte along the Missouri—the reservations of the Omahas and Loup Pawnees—was also included.

The descriptions found in these school books, or those they were de signed to accompany, never failed to compare "The Great American Desert" with the "Great Sahara" of Africa, as witness this from the *Elements of Geography,* by Benjamin Workman, A. M., Philadelphia, 1814:

"West of the Mississippi, and south of the Missouri, there is a vast extent of untimbered country, of a barren sandy soil, which has some resemblance to the deserts of Africa."

In *A System of Modern Geography for Schools, Academies and Families,* by Nathaniel G. Huntington, A. M., Hartford, 1836, there is an account of the "Missouri Territory" a part of which is as follows:

"This territory is a vast wilderness, resembling a desert, extending from the state of Missouri and the river Mississippi, to the Rocky Mountains. It is a region of open elevated plains, generally destitute of forest trees, and interspersed with barren hills.

"It is inhabited almost exclusively by various tribes of Indians, and traversed by herds of wild horses and buffaloes, which in some instances range by thousands in a drove, appearing almost to cover the face of the ground."

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There is an important map, as pertaining to this subject, in the *History of American Missions to the Heathen from their Commencement to the Present Time,* Worcester, Spooner & Howland, 1840. Upon that map there is drawn a line marking the "Western Boundary of Habitable Land." That line passes through what is now Kansas a little west of Wichita. It may be reasonably concluded that the author of the map supposed the line to represent the east boundary of "The Great American Desert."

In some of the books published in the period of "The Great American Desert" there were pictured caravans crossing the deserts in much the same fashion that travelers were represented on the African deserts, except that there is an absence of camels. And even this feature might have been added. In 1857 the general Government bought a number of camels to be used on the deserts of Arizona and California, and their employment there was only prevented by the coming of the Civil War. It is said that these desert animals were abandoned, but lived and increased in a wild state, becoming in some parts of the Southwest a common nuisance.

It is interesting to note the persistency of the idea that the country known as the Great Plains was a sandy desert. And it is curious to observe the ignorance of the West remaining in the Eastern States to this day. In 1867 some capitalists there were offered some very valuable mining property in Colorado. Colorado? Was there such a country? Not a dollar would they venture until a mining expert should be sent to investigate. Mr. A. W. Hoyt was dispatched on that business, and one injunction laid upon him was to ascertain for a certainty if there was in fact any such place as Colorado Territory. And he reported to his employers on that country, affirming that it existed, and saying that "The Great American Desert" was almost impassable to man or beast. And in 1878 Rev. Henry Ward Beecher wrote of "riding night and day across the great desert plains."

Even good old Horace Greeley, always a friend of Kansas, wrote a chapter on "The American Desert." He made a tour of the West in the summer of 1859. The inhabited districts of Kansas he found attractive enough. But when these were passed he wrote a memorandum of the diminishing comforts of life for the patrons of his Tribune, as follows:

I believe I have now descended the ladder of artificial life nearly to its lowest round. If the Cheyennes—thirty of whom stopped the last express down on the route we must traverse, and tried to beg or steal from it—shall see fit to capture and strip us, we shall probably have further experience in the same line; but for the present the progress I have made during the last fortnight toward the primitive simplicity of human existence may be roughly noted thus:

May 12th.—Chicago.—Chocolate and morning newspaper last seen on the breakfast-table.

23d.—Leavenworth.—Room-bells and baths make their final appearance.

24th.—Topeka.—Beef-steak and wash-bowls (other than tin) last visible. Barber ditto.

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26th.—Manhattan.—Potatoes and eggs last recognized among the blessings that "brighten as they take their flight." Chairs ditto.

27th.—Junction City.—Last visitation of a boot-black, with dissolving views of a board bedroom. Beds bid us good-by.

28th.—Pipe Creek.—Benches for seats at meals have disappeared, giving place to bags and boxes. We (two passengers of a scribbling turn) write our letters in the express-wagon that has borne us by day, and must supply us lodgings for the night.

The depths of desolation were not experienced until his arrival on the upper reaches of the Republican. On the 2d of June he penned a communication from Station 18, P. P. Express Company, in which he said:

The clouds which threatened rain at the station on Prairie-Dog Creek, whence I wrote two days ago, were dissipated by a violent gale, which threatened to overturn the heavy wagon in which my fellow-passengers and I were courting sleep—had it stood broadside to the wind, it must have gone over. It is customary, I learn, to stake down the wagons encamped on the open prairie; in the valleys of the creeks, where the company's stations are located, this precaution is deemed superfluous. But the winds which sweep the high prairies of this region are terrible; and the few trees that grow thinly along the creek-bottoms rarely venture to raise their heads above the adjacent bluffs, to which they owe their doubtful hold on existence.

For more than a hundred miles back, the soil has been steadily degenerating, until here, where we strike the Republican, which has been far to the north of us since we left it at Fort Riley, three hundred miles back, we seem to have reached the acme of barrenness and desolation. We left this morning, Station 17, on a little creek entitled Gouler, at least thirty miles back, and did not see a tree, and but one bunch of low shrubs in a dry water-course throughout our dreary morning ride, till we came in sight of the Republican, which has a little—a very little—scrubby cotton-wood nestled in and along its bluffs just here—but there is none beside for miles, save a little lurking in a ravine which makes down to the river from the north. Of grass there is little, and that little of miserable quality—either a scanty furze or coarse alkaline sort of rush, less fit for food than physic. Soil there is none but an inch or so of intermittent grass-root tangle, based on what usually seems to be a thin stratum of clay, often washed off so as to leave nothing but a slightly argillaceous sand. Along the larger water-courses—this one especially—this sand seems to be as pure as Sahara can boast.

The dearth of water is fearful. Although the whole region is deeply seamed and gullied by water-courses—now dry, but in rainy weather mill-streams—no springs burst from their steep sides. We have not passed a drop of living water in all our morning's ride, and but a few pailfuls of muddy moisture at the bottoms of a very few of the fast-drying sloughs or sunken holes in the beds of dried-up creeks. Yet there has been much rain here this season, some of it not long ago. But this is a region of sterility and thirst. If utterly unfed, the grass of a season would hardly suffice, when dry, to nourish a prairie-fire.

Even the animals have deserted us. No buffalo have been seen this year within many miles of us, though their old paths lead occasionally across this country; I presume they pass rapidly through it, as I should urgently advise them to do; not a gray-wolf has honored us with his company to-day—he prefers to live where there is something to eat—the prairie-dog also wisely shuns this land of starvation; no animal but gopher (a little creature, between a mouse and a ground-squirrel)

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abounds here; and he burrows deep in the sand and picks up a living, I cannot guess how; while a few hawks and an occasional prairie-wolf (cayota) lives by picking here and there a gopher. They must find him disgustingly lean.

I would match this station and its surroundings against any other scene on our continent for desolation. From the high prairie over which we approach it, you overlook a grand sweep of treeless desert, through the middle of which flows the Republican, usually in several shallow streams separated by sand-bars or islets—its whole volume being far less than that of the Mohawk at Utica, though it has drained above this point an area equal to that of Connecticut. Of the few scrubby cotton-woods lately cowering under the bluffs at this point, most have been cut for the uses of the station, though logs for its embryo house are drawn from a little clump, eight miles distant. A broad bed of sand indicated that the volume of water is sometimes a hundred-fold its present amount, though it will doubtless soon be far less than it now is. Its average depth cannot now exceed six inches. On every hand, and for many miles above and below, the country above the bluffs is such as we have passed over this morning. A dead mule—bitten in the jaw this morning by a rattlesnake—lies here as if to complete the scene. Off the five weeks old track to Pike's Peak, all is dreary solitude and silence.

The Cimarron runs through the southwest corner of Kansas. Max Greene explored in that region at an early date, and here is the account he wrote of that stream in his *The Kansas Region.*

Toward the rising sun swells out the easternmost barrier of the Rocky Mountains, the long-extending Ratone, with its porticos of columnar quartz leading to kiosks of slumbrous cedar, by whose springs the dust-stained pilgrim rests and has sweet thoughts of home and friends afar. Here, from the cool embrasures, a yellow and scorched eternity of plain meets the view. So flat is it, you may wander, day after day, without once meeting an elevation perceptibly overtopping the rude mound which marks the emigrant's grave, until, at last, lured on by the vapory tricks of the mirage, you stand where that desert mockery of a river, the Cimarron, seams the dead, unsmiling level. You look down into that soundless stream of crystal air, and strange, solemn emotions thrill you, as though you trod with regal Ulysses his shadowy glens beneath the low-eaved sky of Cimmeria. You descend the bank and walk the bottom of a sunken river. Miles away, on either side, are the bluffs of projecting nodules of clay, wearing the black and fallen look of deserted forts, and here and there are inlets of dry arroyos pouring in their lesser currents of nothing, A dread of demonry comes over you, and you stagger on like a sick man in a dream. The limber serpent glides from your path. You pause where the acrid fountlet bubbles up and sinks back again beneath the shadow of the silver-margined euphorbia—the one beautiful flower on the bosom of desolation. Thus sifts the broad and deep but viewless Cimarron through quicksands, or gathers in lakes of sunless caverns down where eyeless gnomes hold vigil in the center of the earth, anear the iron-pillared throne of cloudy and formless Demogorgon. If there be a vein of supernaturalism in you, the voiceless appealing of these wizard regions will bring it to the surface of your nature.

In 1836 Irving wrote his *Astoria.* He had something to say of the "Great American Desert." It is quoted here to show how extensive the idea of that mythical land was down to that time:

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Such is the nature of this immense wilderness of the far west; which apparently defies cultivation, and the habitation of civilized life. Some portions of it along the rivers may partially be subdued by agriculture, others may form vast pastoral tracts, like those of the east; but it is to be feared that a great part of it will form a lawless interval between the abodes of civilized man, like the wastes of the ocean or the deserts of Arabia; and, like them be subject to the depredations of the marauder. Here may spring up new and mongrel races, like new formations in geology, the amalgamation of the "debris" and "abrasions" of former races, civilized and savage; the remains of broken and almost extinguished tribes; the descendants of wandering hunters and trappers; of fugitives from the Spanish and American frontiers; of adventurers and desperadoes of every class and country; yearly ejected from the bosom of society into the wilderness. We are contributing incessantly to swell this singular and heterogeneous cloud of wild population that is to hang about our frontier, by the transfer of whole tribes of savages from the east of the Mississippi to the great wastes of the far west. Many of these bear with them the smart of real or fancied injuries; many consider themselves expatriated beings, wrongfully exiled from their hereditary homes, and the sepulchres of their fathers, and cherish a deep and abiding animosity against the race that has dispossessed them. Some may gradually become pastoral hordes, like those rude and migratory people, half shepard, half warrior, who, with their flocks and herds, roam the plains of upper Asia, but, other, it is to be apprehended, will become predatory bands, mounted on the fleet steeds of the prairies, with the open plains for their marauding grounds, and the mountains for their retreats and lurking places. Here they may resemble those great hordes of the north; "Gog and Magog with their bands" that haunted the gloomy imaginations of the prophets. "A great company and a mighty host, all riding upon horses, and warring upon those nations which were at rest, and dwelt peaceably, and had gotten cattle and goods."

It was but the lack of truth about the portions of Kansas set down as a part of "The Great American Desert" which caused the errors to be spread broadcast. If the facts could have been known the geographers would have put the desert districts back of the Rocky Mountains where they may still be found. The two great divisions of Kansas, as applied to natural productions, are well defined. They are separate, one from the other, and entirely unlike in physical aspect. They are the Prairies and the Great Plains. The Prairies extend from the Missouri border to an irregular line passing through Council Grove. It is one of the fairest regions of the world. It is a rolling country and well watered. The streams are fringed with fine trees—oak, hickory, walnut, hackberry, cottonwood, and willow. There is no more pleasing landscape than a view from any elevation in the Prairie regions will reveal. For some thousands of years, at least, the Prairies have been grass-clad, well watered, and fertile. They never possessed in historic times any of the characteristics of the desert.

The Great Plains extended from the western borders of the Prairies about Council Grove to the Rocky Mountains. And those elevated passes west of Laramie might be included. That was a country of frayed out and disappearing streams. There was little or no timber. Stretches of drifting sand were to be found, but these were not deserts in the true

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sense. The country was almost all covered with buffalo grass—perhaps the most nutritious of all grasses. It was short—an inch or two in height—and as thick as the wool on the buffalo. Along the larger streams other grasses were found, some of them coarse and tall. In the country drained by the Arkansas there were diminutive oaks—known to the explorers as *Shin-oaks*—two or three feet in height, but often prone upon the earth, and having abundant crops of acorns. There were plum bushes of the same dimensions, often loaded with fruit. They were called sand-plums, or buffalo plums, and were relished by the followers of Coronado and all travelers over the Plains since. The Great Plains were the pastures, par excellence, of the buffalo. In no other region were they ever found in such numbers. The antelope was also native to the Great Plains. When the wild horse appeared these Plains became his favorite haunts. The deer, the wolf, the coyote, the rabbit, and numerous birds were to be found on the Great Plains. So, even there the characteristics of the desert were entirely wanting.

There was a Great American Desert. It exists to this hour, but the enterprise of the American will reclaim most of it and make it fruitful. It never did exist in the territory composing Kansas. The mistake of the early geographers was in placing the Great American Desert on the Great Plains. But this mistake is turned to advantage by the enterprising Kansas man. It is the delight of his life to write accounts of the enormous crops now produced "on land which two generations since was a part of the Great American Desert." His figures in this respect are truly astonishing—but they are, strange as it would seem, only facts capable of demonstration to all.

And, as in all other things, the myth of the Great American Desert is an asset of no mean proportion to the Kansas man. All of which serves to establish, in a way, the boast that what is a calamity for other countries is often a valuable asset for Kansas. It is not true of any other state. It is possible only of—

"Sunny Kansas, with her woes and glory."

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CHAPTER VIII

THE SANTA FE TRAIL

The Santa Fe Trail was one of those natural routes sometimes found between countries far separated. The physical conformation of the Southwest made this road a commercial highway. Over its course—at least, over courses approximating its final location—savage tribes had migrated and warred and traded for many generations before America was discovered. It could not be otherwise. For some definite way was necessary from the mouth of the Kansas River across the Prairies, and Great Plains to the depressions in the mountain systems of Western North America. The breaking down of these mountain chains produced the arid lands and desert regions found in New Mexico, Arizona, and California. To the southward the Great Plains emerged into those countries and the El Llano Estacado, or Staked Plain, of the Panhandle of Texas.

In the evolution of the human race man passed through his various periods of development in ways now seen to have constituted nature itself. Fish was his first artificial food—for it had to be cooked to become fully available. And it is probable that man first utilized fire when he turned to this food. To procure fish for food, man, in the Middle Status of Savagery, followed the shores and streams of the world and spread over the whole earth. So streams were the first routes of continental or inland travel coursed by man. Certain points of departure from one stream to another became recognized as having superior advantages. This superiority of locations seems also to have been natural to the intuition of animals, for they well knew the easy grades and the fords and best crossing-places. They, in common with man, sought the most natural ways from stream to stream, and the lowest gaps and depressions through the mountains and over the countries which constituted their habitats and ranges. In some lands rivers became sacred—some instances of which remain to this day. In those primal days the Missouri River, in common with others, was, no doubt, traversed by primitive man. He ascended it —descended it. He dwelt on its shores for generations and ages. As he increased in mental power and in numbers other sources of food-supply developed. In pursuit of these he began to explore and travel from its shores. As his geographical knowledge was increased and his own powers were augmented, intercourse with other tribes began. The point on the Missouri River from which the country we call the Southwest was most

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easily reached was the mouth of the Kansas. There the Missouri makes its great turn, the big bend, and strikes eastward to meet the Mississippi. It is the nearest point made by the Missouri to the Prairies and Great Plains. In fact, the Prairies there touch it for the first time in its ascent. From that point the trails departed, and to that point they converged. Coming out from the depressions in the continental mountain ranges of the West, the Missouri was first and most easily reached at the mouth of the Kansas River. These causes combined to make and establish that ancient continental way which the white man came to call the Santa Fe Trail. It was a highway, old and well-trod, when Coronado passed down it upon his return from Quivira.

The Spaniards, on their various expeditions into and over the Great Plains, always traveled portions of the Trail. The first Americans to follow it were the pioneer hunters and trappers. The French traders, no doubt, transported goods for Indian barter over the Trail when individual effort represented the extent of the commerce of the Great Plains. Pike followed it up the Arkansas, and Long followed it down the same stream.

The Santa Fe Trail, in the days of its greatest fame, extended from Independence, Missouri, to Santa Fe, the capital city or seat of Government of the province of New Mexico. Between these points there were practically no settlements of white people, and, indeed, few permanent Indian towns. The City of Santa Fe was founded about 1610, the exact date being unknown. It is in the valley of a small stream which flows westward into the Rio Grande, some sixteen miles away. It was not laid out on any definite plan, the streets of the old town straggling to all quarters. In the prosperous days of the Santa Fe trade, it contained about three thousand inhabitants. The houses were constructed of adobe, and as they glimmered in the desert sun, they appeared to be but so many brick kilns. For the site was treeless, and dust and sand were whirled up there in clouds with every breeze. There is some vague Indian tradition that in prehistoric times there was an Indian pueblo on the site of Santa Fe. The background and setting of the town are incomparable. Bold mountains rise almost to the regions of perpetual snow, and the climate is said to be as near perfection as any in America. Under direction of the Americans, it has become a modern and enterprising city—just as New Mexico has become a prosperous and progressive commonwealth.

Under both Spanish and Mexican rule the province of New Mexico contained a population low in the scale of human intelligence. That this deplorable condition was justly chargeable to the Government goes without saying. Travelers tell us that the people were below the native Indians in virtue and morality. They were priest-ridden, and buried in the grossest ignorance and superstition. The priests were first in vice. They fixed the fees for performing the ceremony of marriage at such an exhorbitant sum that few could pay them, forcing most families to rest on voluntary and criminal connexions outside the pale of both the Church and the law. There was, in fact, no law, as Americans understand that term. In theory there was a reversion to ancient Latin Statutes, but no

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one knew what these were, nor cared. There were the rudest elements of a corrupt administration of indistinct legal customs modified by degeneracy since their importation from Spain two centuries before. Corruption pervaded the public service, and ingenious rascality often won for a man a position of consequence.

In trade with Northern Mexico, however, all the weakness and inefficiency did not lie on one side. Historians of the trade are agreed on one point—that the American consular and diplomatic service in Mexico was the most servile ever maintained by any nation. It was a disgrace. The murder of many American citizens resulted from it, and other Americans who were so unfortunate as to be under the necessity of availing themselves of its so-called aid were humiliated beyond expression and were unable to have any attention whatever given to their affairs. The course of our Government, in this respect, was not lost upon the people of Mexico. They soon learned that American citizens might be robbed and outraged with impunity. Very rarely could an American official in Mexico be induced to give even the least attention to any effort at redress of the grossest indignities heaped upon American citizens transacting business there. Our country was held in the most supreme contempt by the Government and people of Mexico—and justly so. Our diplomatic standing there was regarded as about on a level with that of San Domingo. And the American traders overland with Northern Mexico had the full benefit of this miserable policy.

No complete history of the Santa Fe trade and trail can be attempted in this work. But a brief review of some of the most important transactions of both will be given.

When the Spaniards owned Louisiana they had some thought of developing the overland trade between New Mexico and that province. In May, 1792, one Pedro Vial was sent from Santa Fe to Governor Caron at St. Louis to open communications for that purpose. He was instructed to keep a daily account of his journey, and to note carefully his course. He was given two Pecos Indians for companions, and four horses to transport baggage. He went by the way of Pecos, and from thence to the Canadian—known to him as Colorado River—Red River. He intended to reach the "Nepeste River, which we call in French the Arkansas River." The Arkansas was reached on the 27th of May at a point in the great bend, for the stream flowed "east northeast." On the 29th they fell in with a party of Kansas Indians and were in danger of losing their lives. They were made captive and taken to the Kansas town, on the Kansas River. There they remained until the 16th of September, when they departed in a pirogue with three French traders going to St. Louis, where they arrived on the 6th of October. It does not appear that this effort to open communications overland between the two Spanish provinces bore fruit. No document has been found giving further account of it.

The descriptions of the Great Southwest written by Lieutenant Pike and published in the Journals of his explorations stirred the border of

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that day. They were accounts of two men who had undertaken some vague mercantile adventures to the Spanish province of New Mexico. The first of these was Baptiste LaLande, a native of Upper Louisiana. William Morrison, a Pennsylvanian, had settled at Kaskaskia in 1790 and established there a profitable mercantile business. It occurred to him that trade might be developed between Louisiana and Northern Mexico. He accordingly sought the services of LaLande, who probably was a French trader to the Indian tribes of the Missouri country—most likely on the Platte. He must have possessed more than ordinary qualifications for conducting trade and a reputation for integrity, for Morrison furnished him with a trading supply which he was to carry to New Mexico for sale or barter there. That LaLande had previously operated along the Platte is evident from his course. He ascended that river in 1804 to reach Santa Fe. There he set up in business for himself with the goods of Morrison. One of the matters Lieutenant Pike carried for adjustment was the claim of Morrison against LaLande. But, LaLande, learning of the presence of the Americans in New Mexico, sought them in the character of a spy against the Spaniards—whether in good faith was not known. Later he entered the plea of poverty and inability to pay the claim of Morrison—and he never did pay it, though he left a large estate to numerous descendants.

Pike found another resident of Santa Fe who had come from the country east of the Mississippi. James Pursley was probably born in Kentucky, for in 1799 he arrived, from Bardstown in that state, in Missouri. He engaged in the business of hunting and trapping. In the pursuit of this calling he joined a party in 1802 to hunt on the head waters of the Osage. In that savage region he was robbed of his equipment and compelled to set out on his return to the settlements about St. Louis. He reached the Missouri, which he was descending in a canoe, when he met a party coming up, on the way to the Indian hunting-grounds. He was induced to join this new expedition, and he went as a member of it to the Comanches and Kiowas. These Indians were attacked by the Sioux and driven into the Rocky Mountains. From this retreat the Indians sent Pursley to the Spanish settlements to arrange for trade. Once at Santa Fe, he could not bring himself to return to his savage partners. He took up the trade of carpenter in that capital and followed it for many years. He returned to St. Louis in 1824, but whether he remained there is not known.

In 1812 James Baird, believing that the prohibitive restrictions against foreign trade had been removed by the declaration of Mexican Independence of Hidalgo in 1810, organized an expedition to trade with Santa Fe. Among his associates were Samuel Chambers and Robert McKnight; and there were perhaps a dozen more. They crossed the Plains, following the directions laid down by Lieutenant Pike, and finally reached Santa Fe. There they found that Americans were especially obnoxious to the Spaniards. They were arrested. Their goods and other property were confiscated. They were carried to Chihuahua and cast into prison, where they

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suffered many hardships and indignities at the hands of the Mexicans. They did not regain their liberty until the rise of the Mexican Revolution in 1821.

The expedition of A. P. Chouteau and Julius De Munn was little more fortunate that that of Baird and his associates. At the beginning of the season for traveling on the prairies and plains in 1815 these gentlemen agreed to trade as partners on the Upper Arkansas. They were delayed in the perfection of their arrangements, and it was not until September that their venture was gotten under way. On the 10th of that month they left St. Louis in company with Mr. Phillebert, who had made a successful voyage of trade to the mountains in 1813, and was now desirous of repeating that success. He, however, sold out his goods and equipment to Chouteau and De Munn, but he seems to have remained as one of the party on the journey. He had a quantity of furs in the mountains which he had not yet carried out, and these were probably stored on the Huerfano, for he had selected that creek as his rendezvous. The expedition did not arrive at this rendezvous until the 8th of December. They found the place deserted but for some Indians, who said the men had waited for Phillebert until convinced he would not return, when they had taken all his property and gone to Taos. De Munn followed them there, and not securing permission from the Spanish authorities to hunt on the head waters of the Rio Grande, he took the men who had been in the service of Phillebert to the camp on the Huerfano. From that point he and Phillebert set out for St. Louis to bring up additional supplies, leaving Chouteau to do a winter's work as trader and trapper. He was to bring the fruits of his effort to the mouth of the Kansas River the next spring to meet his partner. On the way down he was attacked by a band of two hundred Pawnees and forced to take refuge on an island in the Arkansas River. This island was just west of the present town of Hartland, Kearny County, Kansas. From this incident the island was called Chouteau's Island. The Chouteaus never had a trading post there, as is said by some writers.

The expedition of Glenn to Santa Fe arrived there in 1821, but as it ascended to the mountains by circuitous route from the mouth of the Verdegris, little pertaining to Kansas was connected with it.

The first successful venture to Santa Fe over the Santa Fe Trail was made by Captain William Becknell. With him, according to Gregg, were "four trusty companions." They left Arrow Rock, on the Missouri, near Franklin, but in Saline County, September 1, 1821. On the 13th of November they met a troop of Mexican soldiers, who prevailed upon them to voluntarily go, in their company, to Santa Fe, whither they were returning. At San Miguel they found a Frenchman who acted as interpreter for them. They were accorded a friendly reception at Santa Fe, and provided the facilities necessary to dispose of their goods. These sold at such rates as astonished the Missourians, calicoes and domestic cotton cloth bringing as much as three dollars a yard. The enterprise proved most remunerative. The party set out on the return journey on the 13th of December and reached home in forty-eight days.

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That adventure may be said to have established the Santa Fe trade, and Captain Becknell has justly been called the father of the Santa Fe Trail, for that which he followed was accepted as The Trail from the Missouri River to Santa Fe.

The favorable termination of the trading-journey of Captain Becknell being extensively told on the borders of Missouri, others determined to engage in that commerce. Colonel Benjamin Cooper organized a company which left Franklin for Santa Fe early in May, 1822. His nephews, Braxton, and Stephen Cooper, were members of the party, which numbered some fifteen souls. They carried goods to the value of some five thousand dollars to Taos, using pack-horses. The result of the expedition must have been satisfactory for the Coopers remained in the trade for some years, Braxton Cooper meeting his death at the hands of the Comanches some years after this first trip across the Plains.

Captain Becknell was resolved to continue in the trade which had given him such good returns. Within a month after the departure of Colonel Cooper he again took the trail from Franklin to Santa Fe. The value of his cargo was about five thousand dollars, and there were thirty men in the expedition. On this journey he abandoned the use of pack-horses and used for his transportation, wagons drawn by mules—the first wagon-train over the Santa Fe Trail and the first to cross the Great Plains. It was four years before Ashley took his wheel-mounted cannon into the valley of the Great Salt Lake, eight years before Smith, Jackson & Sublette went into the Wind River country with wagons, and ten years before Captain Bonneville drove wagons into the valley of Green River. This first caravan to depart from the usual means of transportation used three wagons.

This second expedition of Captain Becknell was the pioneer party over the Cimarron Route of the Santa Fe Trail. Captain Becknell had, through his travels, conceived the true geography of the Southwest. It was plain to him that the nearest way to Santa Fe from the Arkansas River was to the southwest by the Cimarron. When he had arrived at that point afterwards known as the "Caches" he turned south. He was not familiar with the country which he was entering. It bore a desert aspect and proved entirely destitute of water between the Arkansas and the Cimarron. The supply carried in canteens was exhausted at the end of two days. It seemed that they were destined to die of thirst on those parched and blasted plains. They killed their dogs and cut off the ears of their mules to drink the blood, but this desperate expedient served only to aggravate their suffering. The mirage taunted them with the appearance of water rippling against the shores of false lakes. They had, however, come near the Cimarron without knowing it. They resolved to turn about and try to regain the Arkansas—something they never could have done. In the last extremity, when despair was settling upon them, some of the party observed a buffalo coming up from a depression they had not before seen. It seemed to come up as from the depths and stand upon the burning plain with distended sides—as though gorged with water. It was immediately

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killed and opened. The stomach was filled with water taken but a few minutes before from the Cimarron. This filthy water was drunk as nectar from paradise. Search was at once made for the stream whence had come this lone providential buffalo, and the Cimarron was found. Water was carried back by the refreshed travelers to those perishing on the desert, and the party was saved. The journey was continued over that route, and water was fortunately found in quantities sufficient to enable the party to reach San Miguel.

The misfortunes of the party under Baird, which went out in 1812, the members of which were imprisoned so many years at Chihuahua, did not quench the passion for trade over the Plains in their leader. In 1822 he induced some adventurers at St. Louis to join him in taking a trading expedition over the Santa Fe Trail. He was joined also by Samuel Chambers, who had aided in securing the cargo to be carried, and who had descended the Canadian in 1821. The expedition consisted of some fifty men and an ample supply of horses and mules. It left Franklin late in the season and was overtaken by severe weather on the Upper Arkansas. It took refuge on an island in that river, no doubt for the reason that it was covered with willow and cottonwood timber. So rigorous did the winter prove that these men were compelled to remain there three months, and most of their animals perished from exposure and starvation. This calamity left them without the means to carry their merchandise into New Mexico. They were under the necessity of concealing their goods there while they went to New Mexico for horses and mules to carry in their lading. They left the island and went up the north bank of the river some distance where they dug pits or "caches" in which they placed their goods, covering them in very carefully. They then went to Taos, where they secured the necessary animals, with which they returned and on which they packed their merchandise to that town. The several pits were left unfilled when the goods were removed, and they stood open there on the Trail for many years. In Gregg's day they were still open and their walls were covered with moss. They came to be a marking point on the Trail, and this point was known as the "Caches." The "Caches" were about five miles west of the present Dodge City, Kansas.

In the year 1823, there is record of but one expedition from Missouri to Santa Fe. Early in May Colonel Cooper left Franklin with two pack-horses laden with goods valued at two hundred dollars. He returned the following October with four hundred "jacks, jinnies, and mules" and some bales of furs.

Gregg erroneously dates the commencement of the Santa Fe trade from the year 1824. And he falls into another error in saying that the first wagons were used in the trade that year. At the Franklin Tavern, about the first of April, 1824, there was a meeting to discuss the trade to Santa Fe. The point of assembly for the expedition that year was fixed at Mount Vernon, Missouri, and the time was set for the 5th of May. Each man was to carry a good rifle, a dependable pistol, four pounds of powder, eight pounds of lead, and rations for twenty days. The expedition

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was composed of eighty-one men, one hundred and fifty-six horses and mules, and twenty-five wagons. Thirty thousand dollars was the value of the goods carried. The expedition started on the 15th of May, 1824, crossing the Missouri about six miles above Franklin. The organization for the long journey was effected as soon as the caravan was well under way. A. Le Grand was elected Captain. M. M. Marmaduke, later Governor of Missouri, was one of the party. The Arkansas River was reached on the 10th of June, and the expedition arrived at Santa Fe on the 28th day of July. The financial results of the venture were satisfactory.

It is not necessary to the scope of this work to present an account of every expedition over the Santa Fe Trail, and it is not the intention to do so. The design is to give a historical review of the Trail which will furnish the student or casual reader of history such information as will establish in his mind a clear but not a detailed outline of this important highway of the Plains.

By the year 1825 the Santa Fe trade had assumed sufficient proportions to attract the attention of Congress. There was also a growing apprehension of the wild Indians of the Plains. While there had been no trader killed on the Trail and no robberies of enough importance to report, there was a gathering of Indians along the way, and it was feared that outrages would be committed. Congress, in the winter of 1824-25, passed a bill (approved March 3, 1825) authorizing the President to have the Santa Fe Trail marked from Missouri to the frontiers of New Mexico. The Commissioners appointed to carry that act into effect were enjoined to secure the consent of the Indians whose lands were infringed, to the survey and marking of the road. For that purpose a treaty was entered into, at Council Grove, between the Great and Little Osages and the Kansas Indians on the 11th day of August, 1825. The object of the treaty and what resulted from it will be best shown by the instrument itself. There were in fact two treaties—one with the Osages and one with the Kansas. As they are identical in terms, except as to the preliminary paragraphs, only that with the Osages is given.

Treaty with the Great and Little Osage, 1825

Whereas the Congress of the United States of America, being anxious to promote and direct commercial and friendly intercourse between the citizens of the United States and those of the Mexican Republic, and, to afford protection to the same, did, at their last session, pass an act, which was approved the 3d March, 1825, "To authorize the President of the United States to cause a road to be marked out from the Western frontier of Missouri to the confines of New Mexico," and which authorizes the President of the United States to appoint Commissioners to carry said act of Congress into effect, and enjoins on the Commissioners, so to be appointed, that they first obtain the consent of the intervening tribes of Indians, by treaty, to the marking of said road, and to the unmolested use thereof to the citizens of the United States and of the Mexican Republic; and Benjamin H. Reeves, Geo. C. Sibley, and Thomas Mather, Commissioners duly appointed as aforesaid, being duly and fully authorized, have this day met the Chiefs and Head Men of the Great and Little

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Osage Nations, who being all duly authorized to meet and negotiate with the said Commissioners upon the premises, and being especially met for that purpose, by the invitation of said Commissioners, at the place called Council Grove, on the river Nee-o-zho, one hundred and sixty miles southwest from Fort Osage have, after due deliberation and consultation, agreed to the following treaty, which is to be considered binding on the said Great and Little Osages from and after this day:

ARTICLE 1

The Chiefs and Head Men of the Great and Little Osages, for themselves and their nations, respectively, do consent and agree that the Commissioners of the United States shall and may survey and mark out a road, in such manner as they may think proper, through any of the territory owned or claimed by the said Great and Little Osage Nations.

ARTICLE 2

The Chiefs and Head Men, as aforesaid, do further agree that the road authorized in article 1, shall when marked, be forever free for the use of the citizens of the United States and of the Mexican Republic, who shall at all times pass and repass thereon, without any hindrance or molestation on the part of the said Great and Little Osages.

ARTICLE 3

The Chiefs and Head Men as aforesaid, in consideration of the friendly relations existing between them and the United States, further promise, for themselves and their people, that they will, on all fit occasions, render such friendly aid and assistance as may be in their power, to any of the citizens of the United States, or of the Mexican Republic, as they may at any time happen to meet or fall in with on the road aforesaid.

ARTICLE 4

The Chiefs and Head Men, as aforesaid, do further consent and agree that the road aforesaid shall be considered as extending to a reasonable distance on either side, so that travellers thereon may, at any time, leave the marked track, for the purpose of finding subsistence and proper camping places.

ARTICLE 5

In consideration of the privileges granted by the Chiefs of the Great and Little Osages in the three preceding articles, the said Commissioners on the part of the United States have agreed to pay to them, the said Chiefs, for themselves and their people, the sum of five hundred dollars; which sum is to be paid them as soon as may be, in money or merchandise, at their option, at such place as they may desire.

Pursuant to an act of Congress and the stipulations of these treaties the Commissioners proceeded to lay out, survey and mark the Santa Fe Trail in the year 1825. This survey was not complete until 1827. It began at Fort Osage, now Sibley, Jackson County, Missouri. The field notes of this old survey are in the library of the Kansas State Historical

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Society, and they are here given—with explanations and identifications interpolated and enclosed in brackets:

FIELD NOTES BY JOSEPH C. BROWN, UNITED STATES SURVEYING EXPEDITION, 1825-1827

From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
		747	73	Beginning.
7	7	740	66	Little Blue creek, 100 links wide and runs northward. Ford shallow and rocky.
[9]				[Independence, nine miles southwest from crossing of Little Blue and ten miles northeast of crossing of Big Blue.]
19	18			
26	25	721	48	Big Blue creek, 100 links wide and runs northward. Ford shallow and gravelly. The camping is here good. Immediately west of this
4	58			creek bottom which is narrow, the prairie commences, which extends to the mountains near Santa Fe.
31	03	716	70	Western boundary of state of Mis-
8	40			souri, crosses it just nine miles south of the mouth of the Kansas river.
39	43	708	30	Flat Rock creek [a branch of the Big Blue, south of Lenexa], 30 links
9	27			wide, runs southward into Big Blue. The ford is good and the camping good for wood, water and grass.
48	70	699	03	Caravan creek [Cedar creek—tributary of Kansas river, 2 miles from Olathe, runs north], 30 links wide, runs northward and is a tributary
13	62			of Kansas river. At this place, called Caravan Grove, is excellent camping ground and plenty of timber for shelter and fuel.
62	52	685	21	Hungry creek [head branch Coal creek, tributary Wakarusa] is small
1	57			and runs northward. It affords some pretty groves and good land and water. The ford is pretty good.
64	29	683	44	Dove creek [head branch Coal creek, tributary Wakarusa], at the "Four Oaks." This creek is small and
1	21			runs northward. The water is good, some small groves, and land from Hungry creek to it good.
65	50	682	23	Gooseberry creek [head branch Coal creek, tributary Wakarusa], 25
1	68			links wide, runs northward. This creek affords good water, pasture and wood, and the ford is good.

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
67	38	680	35	Grindstone creek [head branch Coal creek, tributary Wakarusa], 30 links wide, runs northward. Here
2	45			are good camping places, water, wood and pasture good, and plenty. This creek affords some excellent timbered land.
70	03	677	70	Muddy Branch of Cut Off [Ottawa creek] crossing, bears south'd.
70	69	677	04	Cut Off crossing Osage, water, ford
3	43			good, and water and fuel plenty.
74	32	673	41	Big Cut Off crossing [branch of Ottawa creek], 30 links wide, runs south'd. It is a pretty creek and affords some pretty groves. At the
2	55			ford, which is very good, is good camping grounds for water, pasture, shade and fuel.
77	07	670	66	A small branch of Big Cut Off; very
9	30			little timber on it.
86	37	661	36	Mule creek [a branch of Wakarusa—Flag Springs], small, runs north'd and has no timber near the road. Down the creek at about 1 mile is a
11	46			little timber, and southward at about 2 or 3 miles distance is some timber on the waters of the Marias de Cygnes which is the principal fork of the Osage river.
98	03	649	70	Oak creek [110 Creek crossing], 50 links wide, bears southeast, is a branch of the Marias de Cygne. This creek affords good water, pas-
7	52			ture, fuel and camping ground at and near the ford, which is good. Above and below are to be seen some considerable groves of timber. The land on it is very good. In these groves honey is to be found.
105	55	642	18	Bridge creek [Switzler's creek near Burlingame], 100 links wide, runs southeast. It affords good water,
2	05			timber and grass. The bed of this creek is muddy and must of necessity be bridged. Timber is convenient, and no better crossing is to be found near the road.
107	60	640	13	Muscle creek [branch of Dragoon], or Marias de Cygne river, is 100
2	64			links in places and runs southeast. It is a pretty stream, affording fine land, timber and water and excellent camping places. The ford is good.
110	44	637	29	Waggon creek [branch of Soldier creek], 50 links, bears southeast

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
5	63			into Muscle creek about one-half mile below. The crossing on this creek is good camping, for water, wood and grass.
116	27	631	46	Murder creek [branch of Elm creek, N. E. Lyon county], 20 links wide,
1	31			runs southward. Very little timber; ford and water good.
117	58	630	15	Willow creek [Chicken creek, near Waushara post office, north Lyon
2	58			county], 40 links wide, runs south'd.
120	36	627	37	Elm creek [north of Admire, Lyon county], 50 links wide, runs south-
2	71			east. Ford and water good; not much timber.
123	27	624	46	Elk creek [142 creek, Lyon county, north of Allen], 40 links wide, bears southward; ford and water good.
7	10			This creek affords some pretty groves and very good land and camping places.
130	37	617	36	Hickory creek [Bluff creek, near Agnes City, Lyon county], 20 links
5	38			wide, runs southwest. Ford and water good. This creek affords some very pretty hickory groves, some good lands and good camping places.
135	75	611	78	Rock creek [eastern part of Morris county], a beautiful stream 50 links wide, runs southward. Ford and
4	60			water good. Here is excellent camping ground. This creek has some fine land and is tolerably well timbered.
140	55	607	18	Gravel creek [Big John creek and Big John spring], 30 links wide, runs southwardly. This is a pretty little stream, affording some excellent
1	57			land and handsome groves; at 12½ chains N., 20 E., from this ford is a very fine fountain spring and good camping grounds.
142	32	605	41	Council Grove, where the commissioners met the Osage chiefs in council on the 10th of August, 1825. This is the largest body of woodland passed through after leaving Big Blue; 'tis here about a quarter of a wide mile; above and below are some groves more extensive. The
	19			timber and land are of superior quality and the general face of the country interesting. Springs of excellent water are frequent, and

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				no doubt good water-mill seats may be found on this fork of the Neozho and its numerous small branches that water this beautiful tract of country.
142	51	605	22	Council fork of Neozho [Neosho river], here 50 links wide and runs
10	30			boldly southward. Ford good.
153	01	594	72	Small creek [branch of Elm creek],
5	27			15 links wide, runs southward; no timber.
158	28	589	45	Diamond of the Plains [Diamond Springs, four miles north of Diamond Springs station, on A. T. & S. F. railway], a remarkably fine large fountain spring, near which is good camping ground. Otter
1				creek [Diamond creek] is 3 chains west of this spring, and affords wood for fuel. It is 15 links wide and runs southward.
159	28	588	45	First timbered creek [Mile-and-a-half creek], 10 links wide, runs south'd.
1	78			Some timber, but little water.
161	26	586	47	Second timbered creek [Three-mile
1	02			creek], like the first.
162	28	585	45	Third timbered creek [Six-mile
	72			creek], like the first.
163	32	584	53	Fourth timbered creek [Camp creek],
5	12			like the first.
168	32	579	41	Cottonwood creek [Clear creek], 10 links wide, runs southwest. A very
7	74			few cottonwood trees are on this creek, and water not very good or plenty.
176	26	571	47	Duck creek [east branch of Muddy or Luta creek; this point is about three
3	72			miles south of Lost Springs, and a noted stopping place on the trail], 20 links wide and runs southwest. Plenty of water and pretty good grass, but no wood near.
180	18	567	55	High Bank creek [west branch of Muddy or Luta creek], 20 links
7	18			wide, runs southward. Has no timber, and the banks being high makes it rather bad to cross. Plenty of water and tolerable grass.
187	18	560	55	Cottonwood fork of Neozho [Cottonwood river near Durham], 50 links wide and in places 100 links; 'tis the last water of the Neozho which the road crosses. Here is plenty of wood, and water and the grass is tolerable. No other wood will be found on the road after this until

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
19	63			at the Little Arkansas, and commonly no water before Indian creek. About ten miles on the road, in the head of a hollow south of the road and near it, water may be had; the hollow bears southward. The road is over high level land and is sufficiently beaten and plain.
207	01	540	72	Indian creek [branch of Turkey creek, McPherson county], 10 links wide, runs southwestwardly. Affords good water and grass, but no fuel. From the higher parts of the prairie hereabout the sand hills appear west of Little Arkansas. Sora Kansas creek, 10 links, bears southward. About three miles south of
7	66			the ford is a grove of timber on this creek, and at the upper timber it may be crossed, but generally the crossing south of the road would be bad. At this grove the commissioners met the Kansas chiefs in council on the 16th of August, 1825. [A few miles south of McPherson.]
214	67	533	06	From the Sora Kansas creek [branch of Turkey creek, McPherson county] to the ford on the little Arkansas the road bears to the southward of the direct line to avoid (or head) a branch of the
15	20			Kansas river. It is important that the ford on the Little Arkansas be found, as it is generally impassable on account of high banks and unsound bed. The ford is perhaps half a mile below the mouth of a small creek, which runs into it on the east side.
230	07	517	66	At the crossing of the Little Arkansas [east Rice county] there is wood for fuel and the water and grass are tolerably good. Having crossed
7	48			the creek, travel up a small creek of it, continuing on the south side of it. There is no timber on this creek, which is short. When at the head of it the sand hills will appear a few miles to the left.
237	55	510	18	Difficult creek [branch of Cow creek], 15 links, runs southward into Cold Water [Cow creek]. There is no
2				timber near the road on it, and the bed is rather soft and bad to cross.
239	55	508	18	Timbered creek [Jarvis creek, branch of Cow creek], 10 links, runs

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				south'd. It should be crossed just
7	09			at the upper timber. Water and grass tolerably good.
246	64	501	09	Cold water or Cow creek [near Lyons, Rice county] is a narrow stream, from 30 to 50 links wide, for the most part miry, banks commonly high. There is tolerable crossing just above the largest body of tim-
15	56			ber on it, which is very conspicuous; on the two branches eastward of the creek is timber. The camping is good on this creek for wood, water, grass and (commonly) buffalo.
262	40	485	33	From Cow creek the traveler should be careful not to bear too much to the left or he will get on the sands; he may travel directly west or a little north of west, as he may choose, to fall on the Arkansas. After crossing Cow creek the beaten road, which hitherto has been plain, will probably be seen no more as a guide. The Arkansas will be the guide for about two hundred miles. In general the traveler should not keep near the river, as 'tis sandy.
10	01			Near the foot of the hills the ground is firm and the traveling better. Where it is necessary to turn in to the river to camp 'tis commonly best to turn in short or at right angles, and fuel may be picked up almost anywhere, and the grass is commonly pretty good. Generally the river is a quarter of a mile broad, and may be crossed on horseback almost anywhere if the banks permit, and they are generally low. The water is pleasant in this part of the river and above.
272	41	475	32	Walnut creek, from 60 to 100 links wide, runs into the Arkansas at the north bend a little above a handsome grove of timber on the south part of the river, called "Pit Grove." The crossing of the creek is directly between the bends of the river next below and next above the creek. The ford is good. On this creek is more timber than on any
25	24			from Council Grove, principally low, crooked ash and elm. When in season, plenty of plums are to be had here, and the camping is

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				very good for water, fuel and grass. The latitude of this place is 38° 21′ 10″. The road may continue straight by Rock Point [Pawnee Rock], as dotted, to the crossing of the creek above it.
297	65	450	08	Crooked creek [Ash creek], 50 links wide, bears southeast and affords plenty of excellent wood and grass, but the water is not very good. Its
4	61			bed is shaded with ash and elm. It may be crossed in many places; in the fall it is nearly dry.
302	46	445	27	Pawnee creek [Pawnee river], 100 links wide, runs nearly east. Ford tolerably good; west bank a little soft. The ford is at the south point of a sort of bluff. The camping is good for grass and water and tolerable for fuel. The creek is shaded with elm and ash. From this point some travelers prefer to continue up on the south side of this creek
10	77			for some distance, then crossing it several times, continue westward, passing [from] the headwaters over to the Arkansas, as being nearer than the river, but the river route is more safe and convenient for man and beast.
313	43	434	30	Mouth of Clear creek [Big Coon creek], a small stream of transparent running water. Its course is from its head, nearly parallel with the river and near it, in what
41	19			may perhaps be called the river bottom. On the south side of the river among the sand hills, which border it opposite the head of Clear creek [Big Coon creek], elk are to be found and a few deer, and, when in season, plums and grapes.
354	62	393	11	South Bend of the Arkansas river. Here is the first rock bluff seen on the river. The latitude of this place is 37° 38′ 52″. It would be much nearer to cross the river here and ascend Mulberry creek to its source and then go directly to the lower spring [Wagon Bed Spring, near Zionville, Grant county] on the Semaron [Cimarron]; but on trial of the way travelers have discontinued it as unsafe. It is incommodious of water and timber for fuel, and wants such prominent

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				land marks as will be a sure guide. On this route has been much suffering; in a dry time 'tis dangerous. Some turn off at a place known to the Santa Fe travelers by the name of the "Cashes" near to which is a rocky point of a hill at some distance from the river, composed of cemented pebbles, and therefore called Gravel Rocks. At about 3 miles southwest from this
33	22			rock is a place of crossing for those who travel the lower route, or directly to the aforenamed Semaron Spring, but this (though in a less degree) is subject to the same objections as that directly from the south bend. The road this way is good, and in the spring and early summer, to those who may be acquainted with it or may have a compass to direct them, it is about 30 miles nigher than the upper route. The direct course from this point to the spring is S. 71¾, W. 71 miles [about 72 miles southwest]. But the upper route is more safe for herding stock and more commodious to the traveler, as he will always be sure of wood and water on the river and a sure guide, and in general it is easier to kill buffalo for provision.
388	04	359	69	The Mexican boundary of 100th degree of longitude west from Greenwich is where a few cottonwood trees stand on the north side of the river, about 1½ miles above a timbered bottom on the same side. At
39	35			this timbered bottom is very good camping for grass and fuel. [This is about 15 miles east of where the 100th meridian is now on maps.]
427	39	320	34	Crossing of the Arkansas [about 6 miles above the present Garden City and 20 miles east of Chouteau Island], just below the bend of the river at the lower end of a small island, with a few trees. At this place there are no banks on either side to hinder waggons. The crossing is very oblique, landing on the south side a quarter of a mile above the entrance on this side. The river is here very shallow, not more
20				than knee deep in a low stage of the

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				water. The bed of the river is altogether sand, and it is unsafe to stand long on one place with a waggon, or it may sink into the sand. After passing a few wet places, just beyond the river, the road is again very good up to Chouteau's Island. Keep out from the river or there will be sand to pass.
447	39	300	34	At Chouteau's Island [near Hartland, Kearny county], the road leaves the river altogether. Many things unite to mark this place so strongly that the traveler will not mistake it. It is the largest island of timber on the river, and on the south side of the river at the lower end of the island is a thicket of willows with some cottonwood trees. On the north side of the river the hills approach tolerably nigh and on [one] of them is a sort of mound, conspicuous at some miles distance, and a little eastward of it in a bottom is some timber, perhaps a quarter of a mile from the river. The course of the river likewise being more south identify the place.
				On the river through all the space traveled there is great similarity of features; the hills are commonly very low and the ascent almost everywhere so gentle that waggons may go up them. They are covered with very short grass, and the prickly pear abounds. The soil on the hills is not very good. The bottoms on the river are sometimes good, but frequently not so. They are sometimes a mile or more in width, frequently rising so gently it would be difficult to designate the foot of the hill. It is generally sandy near the river, and the grass coarse and high, consequently the traveling is bad near the river, but a little off it is almost everywhere good. On Cow creek or Cold Water short grass commences, and the short grass bounds the burnings of the prairie. This creek is almost as nigh home as buffalo are found, and from this creek they may be had at almost any place until within sight of the mountains near Santa Fe.
				Before leaving the river, where

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From Ft. Osage.		From Taos.	
Miles.	Chns.	Miles.	Chns.

fuel is plenty, the traveler will do well to prepare food for the next hundred miles, as he will find no timber on the road in that distance, except at one place, which will not probably be one of his stages; at least he should prepare bread. In dry weather buffalo dung will make tolerable fuel to boil a kettle, but it is not good for bread baking, and that is the only fuel he will have.

After leaving the river the road leads southward, leaving the two cottonwood trees on the right, which stand perhaps a mile from the river. From the brow of the hill, which is low, and is the border of the sand hills, the road leads a little east of south to a place which sometimes [is] a very large pond, and continues along the western margin, and after passing some trees standing at the south end, reaches a very slight valley, through which in wet weather flows a small creek, coming from the plains beyond the sand hills. From this place the traveler will see some trees in a southwest direction, which he will leave on his right, and will continue along the valley in the bed of the creek (which he can hardly recognize as such) very nearly due south for about four miles to the southern edge of the sand hills, where generally he will find a large pond of water in the bed of the small creek, which is now more apparent. But this pond is sometimes dry; due south from it for about two miles distant are several ponds of standing water, where the grass is fine and abundant. The distance through the sand hills here is about five miles, and the road not bad. These hills are from thirty to fifty feet high and generally covered with grass and herbage. From this place a due south course will strike the lower spring [Wagon Bed spring, near Zionville, Grant county] on the Semaron creek, and as that creek then is the guide for about eighty miles, and waggons can in one day drive across the level, firm plain from the ponds to the

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				spring, the road was so laid out. There is another advantage, namely, the certainty of traveling due south and north from the pass of the sand hills to the spring, and *vice versa*, is much greater than if the course were oblique to the cardinal points, and at any rate there is but little loss of distance, for the creek bears so much from the southward that the diagonal or long side is almost equal to the two shorter sides of the very obtuse angle that would be made by striking the creek higher up. The road crosses Half Way creek [North
32	50			Cimarron river, near Ulysses, Grant county] at somewhat more than ten miles north of the spring, at which place are water and grass. The creek is about 50 links wide and bears southeast, and may be easily crossed.
480	09	267	64	Lower Semaron Spring [Wagon Bed spring, Grant county] is at the west edge of a marsh green with bull-rushes. The marsh is north of the creek and near it. The spring is constant, but the creek is sometimes dry until you ascend it ten or twelve miles, where it will be found running. The stream is bolder and the water better as one travels up it. It is the guide to the traveler until he reaches the upper spring near eighty miles. Three miles above the lower spring is some timber, from which place the road is on the hill north of the creek for twelve or fifteen miles.
38	63			One may then either continue on the hills north of the creek or travel in the bottom, but the hills are best for ten or fifteen miles further, as the valley of the creek is sandy in many places. One must necessarily camp on the creek to have water, but the water is very bad until one travels a great way up it, as it is impregnated [with] saline matter, which, like fine powder, makes white a great part of the valley. The grass in this valley is not so good as that on the Arkansas, the land not being so good either in the valley or on the hills.

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
518	72	229	01	Middle Spring, near half a mile from the creek, on the north of it, near a mile below a sort of rock bluff at the point of a hill. [This place is in southwest Morton county, about 7 miles north and 6 miles east of the southwest corner of Kansas. The rock bluff is the "Point of Rocks" on southeast ¼, 12-34-43, as noted on maps of later date; the old "Point of Rocks" is about 130 miles further on in New Mexico.] Above this middle spring the road is in the creek bottom, which in places is very sandy. One must pick the firmest ground, and for this purpose must cross the creek occasionally, which may be done almost anywhere, as the banks are commonly low and the bed sandy.
31				
549	72	198	01	Timber on the Semaron at this place, which is the first timber on the creek above the few trees near the lower spring. The road leaves the creek and continues in a southwestwardly direction to a patch of timber, which may be seen from the hill (near this timber) on the south of the creek. At the patch of timber is a spring, called the upper Semaron Spring, and around it are some mounds of coggy rock several hundred feet high.
6	54			
556	46	191	27	Upper Spring. At this place is wood and water, but not much grass for stock. In season there are plenty of grapes. From this point the road passes by a spur of a hill southwest about a mile from the spring. From this hill will be seen two small mountains very near together, called "Rabbit's Ears," bearing about 60 degrees west of south. Those points guide the traveler, but he will at first bear a little to the right of the direct course that he may avoid some points of hills, and will fall on a small creek, and will find it best to cross it and continue up it on the west side a mile or two and then recross it, keeping pretty well the general direction.
11	08			
567	54	180	19	Mire Spring at this place is no distinct spring, but a miry place where water can be had, but no wood;

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				grass is only tolerable. From this place, after continuing in the general direction to the Rabbit's Ears some five or six miles, "Pilot Mountain" will appear a little
18	56			more to the west. The road leads by the foot of it, keeping pretty well the general direction to it.
586	30	161	43	Louse creek, say 30 links wide, and bears southeast. The best camping ground is at a pond of water in the bed of this creek, which does not generally run, about half a mile below one or two trees standing on the creek. Commonly a little fuel of drift wood may be picked up, as there is some timber up the creek, though none about the camping ground. The water and grass are good.
				From this to Turkey creek and thence to the Rabbit's Ears creek the routes are various, agreeably to the traveler's notions. There is some sand (I may say sand hills) to pass from this to Turkey creek.
19	07			The road as here laid down continues up a small fork of Louse creek, on the south side of it, which runs into the creek a mile or more perhaps above the camp, and from the head of this fork pass us over to Turkey creek, which is near. Perhaps a better way would be to turn up a valley nearly south, which will be seen after leaving the camp a mile or two, continue in the valley a mile or more, perhaps, until the general direction to Pilot Mountain may be resumed. The sand will then be on the right hand. The road is tolerably good.
605	37	142	36	Turkey creek. On this creek the camping is good for wood, water and grass. The creek is 30 links and bears S. E.
				Rabbit's Ears creek, 50 links wide, runs from this place, where the traveler leaves it, nearly east. On the south of it everywhere is,
15				at a little distance from the stream. a rocky hill several hundred feet high, from the top of which is level land to southward. On this creek camping is good for water, wood and grass. Here also are some

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				deer, the first seen after passing the south bend of the Arkansas.
620	37	127	36	Pilot Mountain, on the left hand. From about this place will be seen many small mountains on the right at ten or fifteen miles distance, extending to the southwest; the extremity of which is called the Point of Rocks, to which the road leads, at first bearing more southward to avoid sand.
7				
627	37	120	36	A creek, ten links, bears south'd. On this creek a scattering bush or two appears, but no timber; water and grass are tolerable. On the west edge of a board and sometimes dry pond covered with grass and weeds, and where are some rocks above the ground, at one mile eastward of this creek, is a good spring; no drain from it except for a few feet.
14	27			
641	64	106	09	Don Carolus creek, 50 links wide, bears southwest. Here is plenty of wood, water and grass, and the crossing of the creek is tolerably good.
7	19			
649	03	98	70	Nooning branch. Here is generally water and grass and fuel.
1	40			
650	43	97	30	Point of Rocks. At this place is a very constant and good spring. The mountains are in full view, and as no beaten road will be discovered until more traveled, the traveler will be guided by the strong features of the country, which with care on his part will conduct him safely on his journey.
13	78			
664	41	83	32	From the Point of Rocks the traveler will proceed a little south of west, as indicated by the map, leaving a higher swell of the plain or a little hill a fourth or half a mile to his left, and will proceed until at the brow of the high tableland on which he will find himself to be. Looking across the valley before him through which a small creek flows to southwest, he will see the southern point of similar highland to that on which he is, a little beyond which point is the Canadian river. The road passes as near the point on the south of it as is convenient and continues forward to the Canadian. On the creek in the valley short of the Canadian is water and grass
6	31			

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				plenty, but no timber. There are a few willow bushes.
670	72	77	01	Canadian river, a bold running stream from 50 to 80 links wide, bears southeast. The ford is rocky and shallow and is easy to find. If missed the traveler would not be able to cross below the fork in many miles. Camping is good for water and grass, and fuel may be had, but it is here scarce. On the west bank of this stream the road to
8	52			Santa Fe by the way of St. Miguel turns off to the left, on which see the remarks at the end of this work from the crossing of the Canadian the road continues a little west of south just by and on the south side of a hill with small bushy pines.
679	44	68	29	A pond of water in the valley near to the pine hills, where fuel may be had, and water and plenty of grass for stock. From the pine hill the road bears a little more south, and will in 5 or 6 miles pass some very elevated tableland or a low, flat-top mountain. Leaving it on the right, will cross the bed of a small creek (frequently dry), bearing southeast, and will cross the valley obliquely to the elevated tableland which bounds the southern side of the valley, and will continue to the southwest quarter of the valley (which is several miles broad and
14	28			projects with several prongs westward) to where the tableland on the south of the road joins a spur of what may be deemed a low mountain projecting to the south'd two or three miles. At the junction the road, turning more to the left, up a narrow valley, ascends to the top of the tableland. From this place, where there are a few small, bushy trees, fuel may be taken to a pond of water about half a mile eastward, where there is plenty of fine grass.
693	72	54	01	The road continues around the spur of the mountain and turns westward up a small creek with rocky cliffs, which will be immediately on the left, and will cross it immediately at the upper end of the cliffs, and will continue up it, passing a gap of an arm of the mountain, and

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				just a high cliff or point on the left, will cross a small fork of the creek and will continue up the north fork of it, which is the most
19	17			considerable, to the foot of the mountain. On the south side of the small creek, which runs boldly, the road ascends the mountain, winding to the southwest to advantage until the brow is gained at the edge of a prairie. This part of the road up the mountain is strong and there is timber of pine and dwarf oak.
713	09	34	64	This hill is the worst part of the road. As it is, waggons can carry up light loads, but with labor . . . it might (and with no great difficulty) be made tolerably good. This is the first hill of difficulty . . . from the commencement. It is about a mile and a half from the foot to the summit, and when at the summit a prairie, which like a fillet borders the brow of this spur of the mountains, will conduct the traveler in a western direction to its descent. The soil of the prairie is dark and rich and the grass luxuriant and fine. It abounds with springs of finest water. All the way on this mountain there is much more elevated land on the right of the road, which is thickly timbered for the most part. Several species of pine, the aspen, some cedar and dwarf oak are the timbers of the mountain. Here also are found several sorts of game—bear, elk, deer, and turkey. Having descended the western side of this mountain, which is tolerably thickly timbered, at the foot of it the road enters a prairie, where there is a small beaten path leading in a western direction, as the road goes, continuing up a branch on the north side of it, crossing almost at right angles, one fork of it about 10 links wide running very boldly south about two miles from the foot of the mountain. At about three miles further are three fine springs
15	07			in the valley, where is plenty of fuel, but grass only tolerable—nothing comparable anywhere in

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From Ft. Osage. Miles.	Chns.	From Taos. Miles.	Chns.	
				the valley to what it is on the mountain. The road continues westward along the small path, bearing a little more from the branch and falling on it again near the foot of a mountain, which is the dividing ridge, and which is about two miles from the valley springs.
728	16	19	57	Foot of the dividing ridge. This mountain, especially on the east side, is more timbered than the other, but not so bad to cross. It also has prairie on the top like
4	01			unto the other, through which the road passes to the western brow. Through the timbered parts of the mountain the road is open.
732	17	15	56	Western foot of the dividing ridge. Here is a small stream, which flows with increased size into the valley of Taos. Just by the village of San Fernando the road continues
15	56			down it to the best advantage, crossing it frequently. This valley is extremely scarce of grass and the road not good, though with little labor it might be excellent.
747	73			San Fernando, the principal village in Taos. This being the nearest of the Mexican settlements, the most northern and the most abundant in provisions for man and beast, determined the survey of the road hither, although the way to Santa Fe by St. Miguel is said to be somewhat better and equally high. From Taos, which is in latitude 36° 24′ 00″, to Santa Fe, in latitude 35° 41′ 15″, the distance as traveled is about 70 miles, and with a little labor a good wagon road may be had. The course is about south-southwest. The Rio Del Norte, 7 or 8 miles west of Taos, and about twice that distance west of Santa Fe, is about three chains wide and has many ripples and places to hinder navigation. The road leading from one place to the other falls on the river and continues along it a few miles. Between these two places are some half-dozen villages or more, the chief of which is Santa Cruz, about 22 miles above Santa Fe and in sight of the river.

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In conclusion a few remarks will be made on the road by St. Miguel, not from observation, but from information. Immediately after crossing the Canadian the traveler will turn nearly south, and after going a few miles will reach a bold running stream, the same which the road to Taos continues up. He will cross it at a fall or rapid, as below he can not for its rocky cliffs, and above he can not on account of mud and quicksand. After crossing this creek he will continue forward in the same direction, and, where convenient, will ascend the high tableland which extends all along on the right, and will proceed forward just by the east end of a small mountain shaped like a shoe, with the toe to the west. . . . It is very plain to sight from the elevated lands before crossing the Canadian, and when first seen bears 25 west. It may be a day's travel or more from the crossing of the Canadian. After passing it a longer mountain will be passed, leaving it on the left. This too is in sight as soon as the other, which is called the Pilot. After passing the long mountain on the left the directions are general. The mountain will be a guide on the right; some small, isolated ones will be on the left. The road is level and generally good. Several creeks will be crossed, and the road, bearing a little west of south, will lead to St. Miguel, which is about 45 miles southeast from Santa Fe, from which the road is plain.

October 27, 1827.

The Kansas State Historical Society has worked out the course of the Trail through the different counties of Kansas, and identified it with present day geography, as follows:

BRIEF SUMMARY OF THE SANTA FE TRAIL THROUGH KANSAS

Johnson County

The different Missouri River branches of the trail, whether from old Franklin, Fort Osage, (Sibley), Independence, Westport, or Kansas City, came together in the northeast part of Johnson County, and by one common course passed out of the county near its southwest corner. An early course of the road entered the county and state just nine miles due south of the mouth of the Kansas River and east of the village of Glenn. The line from Westport passed near the old Shawnee Mission. From near Lenexa the trails passed over one route southwest through Olathe and Gardner, across Bull Creek and into Douglas County. The junction of the Oregon and California trails was near the present town of Gardner, and at one time there stood at this point an old guidepost which bore the legend: "Road to Oregon."

Douglas County

The trail entered Douglas County near its southeast corner, a few miles east of Black Jack, from where it took a northwesterly course through Palmyra and on to Willow Springs. Here it turned to the southwest, passing close to Globe and Baden of later days and into Osage County about three miles north of the southwest corner of Doug-

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las County. Palmyra, which later became a part of Baldwin, was long a favorite place for repairing wagons and for rest. Willow Springs, about seven miles to the northwest of Palmyra, was also a favorite place and had a thrilling territorial history.

Osage County

In passing westerly through Osage County, a distance of twenty-four miles, the trail dropped only one mile south, entering from Douglas County at section 3-15-17; thence to Flag Spring and almost due west along the natural divide for ten or more miles, passing where the town of Overbrook now stands and on to 110 creek crossing in section 12-15-15. From this place it ran westward, passing within a mile south of the present Scranton to the present location of Burlingame, where it crossed Switzler Creek. This was the location of the Council City of territorial days. For a mile through Burlingame, Santa Fe avenue represents the course of the trail. After crossing Dragoon Creek its course took it through the old town of Wilmington, in the southeast corner of Wabaunsee County.

Lyon County

Entering the county of Lyon near the northeast corner, the trail crossed the county dropping about five miles south of a westerly course. Waushara, on Chicken Creek, Elm Creek, the crossing of 142 Creek, and Agnes City, on Bluff Creek, were stopping places of more or less importance at different times. In Lyon County the main line of the Missouri Pacific Railway is from three to six miles south of the old trail.

Morris County

The trail entered Morris County about seven miles east of Council Grove, and in crossing the county dropped south just six miles. A short distance east of Council Grove it crossed Big John Creek and ran close by the "Big John Spring" now in Fremont Park, where at one time were numerous stones bearing inscriptions, names and dates.

Council Grove was the most noted stopping place between the Missouri River and Santa Fe. Here the treaty with the Osage Indians was made, August 10, 1825, for right of way of the trail across the Plains, and for years it was the last chance to obtain supplies. Its Main street, on both sides of the Neosho, marks the course of the trail. From Council Grove for several miles there were two routes, one along the high divide to the north of Elm Creek, and the other passing up the valley of said creek, the two roads uniting a mile or two southeast of the present town of Wilsey.

From Council Grove the trail passed westward, close to Helmick and Wilsey of to-day, thence directly north of the "Morehouse ranche" pas-

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tures and through sections 33 and 34, township 17, range 6, of the adjoining "Diamond Spring" or "Whiting ranche" where the famous prairie fountain, "The Diamond of the Plain" still flows. This is about four miles north of the present village of Diamond Springs, on the A. T. & S. F. railway. The trail passed about three miles north of Burdick and entered Marion County some six miles south of the present Herington, Dickinson county.

Marion County

The trail entered Marion County at the east side of section 12-17-4, a mile and a quarter south of the northeast corner of the county. Its first place of note was the well-known "Lost Spring," situated about two miles west of the present town of Lost Springs and fifteen miles due north of the present town of Marion. This spring is at the head of Lyons Creek, a tributary of the Kansas River. From here the road passed in a westerly direction near the sites of the present towns of Ramona and Tampa, dropping southwesterly to the Cottonwood, crossing near what is now the town of Durham (at one time "Moore's ranche"): continuing southwest, it passed out of the county at a point directly east of the present town of Canton, McPherson County.

The survey of the trail between "Diamond of the Plain" and Cottonwood Crossing passed two or three miles south of the route as used, and thus crossed several creeks in Morris and Marion counties, which the upper route avoided by following the watershed between the Kansas and Cottonwood rivers.

McPherson County

Entering the county midway of its eastern boundary, just east of the present Canton, the trail bore slightly southwest, crossing Running Turkey Springs, and Dry Turkey Creek and passing out of the county some miles south of the present town of Windom. On section 21-20-3, about five miles south of the present city of McPherson, is a place on Dry Turkey Creek (once called Sora Kansas Creek) where the United States commissioners, while surveying the trail, met the chiefs of the Kansas Indians in council on the 16th day of August, 1825. A monument to commemorate the event has been erected near the spot.

Rice County

Through Rice County the trail passed almost east and west through the center. Entering at the east side of section 13-20-6, it crossed the Little Arkansas at the noted Stone Corral and breastworks thence ran west, passing less than a mile south of the present city of Lyons; crossing Jarvis Creek, and Big and Little Cow creeks, it passed out of the county at section 31-19-10 into Barton County. About three miles west of the

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present Lyons, close to the trail, are the "rifle pits" and "Buffalo Bill's well."

Barton County

Entering Barton County the trail ran due west five miles to the present Ellinwood, where it first came to the Arkansas River. Following the river, it passed Fort Zarah, located near the crossing of Walnut Creek. From here the trail rounded the north or great bend of the Arkansas, turning southwest near the present town of Great Bend, and passing out of the county close to the famous "Rock Point," afterward known as "Pawnee Rock."

Pawnee County

The trail passed through the present Larned and old Fort Larned reservation, crossing the Pawnee River. From this point to Fort Dodge, in Ford County, there were two routes, one following closer to the Arkansas River and touching Big Coon Creek near the present Garfield; the other passing Fort Larned and running southwest, sometimes at a distance of ten miles from the Arkansas River.

Edwards County

Through Edwards county the trail followed two main routes. The oldest, or river route, kept between the Arkansas River and the parallel stream of Big Coon Creek, (formerly Clear Creek), and passing by the present sites of Nettleton and Kinsley. The other route kept from four to six miles from the river, crossing Little Coon Creek about three miles west of Kinsley at the old Battle Ground, and passing out of the county about a mile south of the present village of Offerle.

Ford County

The trail entered Ford county from the northeast by two routes; the lower route followed the north side of the Arkansas, while the upper route entered the county about eight miles north of the river. These two lines came together near Fort Dodge, and then followed along the north side of the river, through the present site of Dodge City and near the "Caches" five miles west, entering Gray county just north of the Arkansas. There was another route of the trail in this county which was sometimes used. It crossed the Arkansas River near the mouth of Mulberry Creek, and following up the creek, ran to the southwest. This trail was not safe in dry weather, there being few living streams near it.

Gray County

The old trail, as first surveyed through this region in 1825, was the route along the north side of the Arkansas river. This was the road

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unless wagon trains took the shorter but more dangerous Cimarron cut-off. The river route passed by the sites of the present towns of Wettick, Cimarron, Ingalls, and Charleston. The branch known as the Cimarron route crossed the Arkansas river near the present town of Cimarron at a place known for years as the "Cimarron Crossing." It was so named because it was the shortest and most frequented way to the river of that name. It was sometimes called the "Middle Crossing," to distinguish it from the "Lower Crossing" near Mulberry Creek junction, and the "Upper Crossing" near Chouteau Island. The Cimarron Crossing and route was generally used after 1830, except during the dryest seasons or when the Indians were especially dangerous. It passed southwest into Haskell County of to-day, and was by far the shortest road to Santa Fe.

Haskell County

The Cimarron branch of the trail entered Haskell County near the northeast corner and passed southwest between the present Ivanhoe and Santa Fe, and out of the county midway of its western border. Wild Horse Lake was to the north of the trail, but there were no important stopping places along its twenty-seven mile course in the county.

Grant County

The trail entered Grant County midway of its eastern boundary, and continuing its southwesterly course, crossed the North Fork of the Cimarron River and passed on to the well-known "Lower Springs," later known as the "Wagon Bed Spring," on the main Cimarron River. This stopping-place was in the extreme south part of the county, near the present Zionville, and was the point on the Cimarron to which the caravans headed when they had followed the trail, as surveyed in 1825, up the Arkansas river to Chouteau Island (near the present Hartland, Kearny County,) and there turned directly south. This route up the river was considered safer, the water spots not being so far apart, but it was not used much after 1830, the route to and from the Cimarron Crossing of the Arkansas being so much shorter.

Stevens County

Through Stevens County the trail paralleled the Cimarron River in its course through the northwest part of the county, but there were no important camping places. In following up the Cimarron to the southwest the trail sometimes kept fairly close to the river, but at times was several miles away; hence there were really two routes—the "river" and the "upland."

Morton County

Morton County has some thirty miles of the old trail within its borders. Entering the county about eight miles south of its northeast corner, the

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trail followed up the Cimarron and passed out of the county and state at a point about seven miles north of the southwest corner. The "Middle Spring" of the Cimarron route was in this county, not far from a noted place and landmark known as "Point of Rocks," this point being on the southeast quarter, section 12-34-43. There was also another "Point of Rocks" known in trail days, about 130 miles further on, in New Mexico. The Cimarron route of the Santa Fe trail, after leaving the present boundaries of Kansas followed up the Cimarron River, first on one side of the stream, and then on the other, through the present states of Colorado and Oklahoma, for a distance of some sixty or sixty-five miles, when it entered the northeast corner of New Mexico.

The Upper Arkansas River Route, and Finney County

This route of the trail followed up the north side of the Arkansas River from the Cimarron Crossing, through the counties of Gray, Finney, Kearny, and Hamilton, and is to-day represented by the main line of the Atchison, Topeka & Santa Fe Railway. It was used by those desiring to stop at Bent's Fort, in Colorado, or go on to Santa Fe via Trinidad, Raton Pass, etc. Through Finney County the trail touched the sites of the present towns of Pierceville, Garden City and Holcomb, but during trail days there was only one place of historic importance. The United States government survey of 1825 crossed the Arkansas River to the south side at a point about seven miles up the river from the present Garden City and not far from the Holcomb of to-day. From this crossing, carefully described in the survey, the trail followed south of the river to Chouteau Island, where it turned due south to the "Lower Spring" of the Cimarron.

Kearny County

The Upper Arkansas River branch of the trail followed north of that river through Kearny County. Chouteau Island—near the present town of Hartland—was a place of historic importance. It was to this point that the disastrous expedition of Chouteau (1815-1817) retreated and successfully resisted a Pawnee attack. Here too the Santa Fe trail, as surveyed by the United States Government in 1825, turned due south to the "Lower Spring" (Wagon Bed Spring) of the Cimarron. This route was sometimes called the "Aubry route" since Francis X. Aubry was known to have partially followed it on at least one of his famous rides between Santa Fe and Independence. It was a much better watered route than the one by way of Cimarron Crossing.

Hamilton County

The line of the Atchison, Topeka, & Santa Fe Railway represents the route of the old trail through the present towns of Kendall, Mayline, Syracuse, and Coolidge. Four miles east of where Syracuse now stands

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is a spring discovered by the famous French-Canadian scout Aubry. The United States Government established Fort Aubry here in 1865, but it was abandoned within a year. The trail passed out of the county and the state near the present town of Coolidge, and ran on up the river to where it turned southwest to Santa Fe via Trinidad and Raton Pass.

From Wetmore's Gazeteer of the State of Missouri, 1837, page 269, the following table of distances is taken:

From Independence, Mo., to Santa Fe to

Camp Grove	16
Big Blue river ford	20
Round Grove	14
Belmont	20
Left-hand Grove	18
Right-hand Grove	18
Elk Creek	5
Marie des Cignes	11
Rock Creek	5
Prairie Camp	13
Indian Camp	9
High-water Creek	15
Council Grove on the Neosho	8
Plain Creek	5
Diamond Spring	8
Prairie Spring	8
Hook's Spring (in prairie)	8
Cottonwood Grove	13
Lake Camp	18
Small Creek	20
Little Arkansas	18
Branch of Cow Creek	12
Main Cow Creek	13
Arkansas river	15
Walnut Creek (up the Arkansas)	20
Ash Creek	24
Pawnee Fork of Arkansas	8
Plain Camp	15
Little Pond	21
Small Drain	20
Anderson's Caches on the Arkansas	20
Pond Camp west of Arkansas river	7
The Two Ponds	22
Several Ponds	19
The Lake	12
Sandy Creek	12
Lone Pond	14
Small Pool	22
The Semiron	8
The Lower Spring	2
Salt Camp	8
Nitre Camp	21
The Willows	7
Saltpetre Camp, in view of Sugar House Mound	10

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From Independence, Mo., to Santa Fe to

Upper Semiron Spring	10
Seven Mile Creek	7
Drain Camp	8
Two Pools	17
Rocky Pool	8
Bad Water	7
Sugar Loaf	5
Kiawa Camp	10
Sabine Camp	15
Round Mound	4
Rocky Branch	14
Summit Level, in view of Rocky Mountains	8
Harl's Camp	6
Point of Rocks	10
Deep Hollow	7
Canadian Fork	15
Mule Creek	6
Pilot Knobs	19
Tar Kiln Grove	20
El Moro	10
El Sapiote	2
Rio Las Guineas	18
San Magil (village)	25
Santa Fe	40
Total	897

The following note and table will be found in Gregg's Commerce of the Prairies, 1844, page 313:

Having crossed the Prairies between Independence and Santa Fe six times, I can now present a table of the most notable camping sites, and their respective intermediate distances, with approximate accuracy, which may prove acceptable to some future travelers. The whole distance has been variously estimated at from 750 to 800 miles, yet I feel confident that the aggregate here presented is very nearly the true distance:

From Independence to—	Miles	Aggregate
Round Grove	35	
Narrows	30	65
110-mile Creek	35	100
Bridge Cr.	8	108
Big John Spring (crossing sev'l crs.)	40	148
Council Grove	2	150
Diamond Spring	15	165
Lost Spring	15	180
Cottonwood Cr.	12	192
Turkey Cr.	25	217
Little Arkansas	17	234
Cow Creek	20	254
Arkansas River	16	270
Walnut Cr. (up Ark. r.)	8	278
Ash Creek	19	297
Pawnee Fork	6	303
Coon Creek	33	336
Caches	36	372
Ford of Arkansas	20	392

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	Miles	Aggregate
Sand Cr. (leav. Ark. r.)	50	442
Cimarrone (lower spr.)	8	450
Middle spr. (up Cim. r.)	36	486
Willow Bar	26	512
Upper Spring	18	530
Cold Spr. (leav Cim. r.)	5	535
M'Nees Cr.	25	560
Rabbit-ear Cr.	20	580
Round Mound	8	588
Rock Creek	8	596
Point of Rocks	19	615
Rio Colorado	20	635
Ocate	6	641
Santa Clara Spr.	21	662
Rio Mora	22	684
Rio Gallinas (Vegas)	20	704
Ojo de Bernal (spr.)	17	721
San Miguel	6	727
Pecos village	23	750
Santa Fe	25	775

In 1828 two men were killed by Indians on the Santa Fe Trail. The traders had feared attacks from Indians in previous years. They had requested the Government to furnish the caravans a military escort, but this it had failed to do. It has been the theory of the military men that a strong post on the border of an Indian country was sufficient to hold the savages in check, and they pointed to Fort Leavenworth, recently established to replace Old Fort Osage. No military post could entirely restrain wild tribes roaming six hundred miles away. This fact was finally the cause of the detail of the escort of 1829.

In 1829, Major Bennett Riley was at Fort Leavenworth. In the spring of that year he was ordered to take four companies of the 6th Infantry and accompany the trader caravan to the western frontier. He moved on the 5th of June, and joined the traders at Round Grove, in what is now Johnson County, Kansas. If the Indians had entertained any intention to attack the train the presence of the troops dispelled it. Major Riley escorted the caravan to Chouteau Island, in the Arkansas, without any molestation whatever. The traders turned south towards the Cimarron, and as they entered Mexican territory as soon as they crossed the river, it was impossible for Major Riley to accompany them any further. He camped on the north bank of the Arkansas and watched the American wagons disappear in the desert wastes. They had hardly disappeared below the desert horizon when horsemen were observed coming towards the American encampment at full speed. They announced that the caravan had been attacked by Indians and one man killed, and that they had been sent to urge that the American troops come to the rescue. Major Riley well knew the gravity of the step he was requested to take, for the caravan was on Mexican soil. But he chose to take the consequences in the emergency. The Indians retreated over the plain upon the appearance of the troops. To reassure them, Major Riley went with the traders one more day, then returned to Chou-

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teau's Island, in the vicinity of which he camped for the summer. He had agreed to wait there until the 10th of October for the traders on their return journey from Santa Fe. He was beset by Indians the whole summer and had more than one encounter with them. The caravan did not appear on the 10th of October. On the 11th Major Riley broke camp and marched for Fort Leavenworth. He was soon overtaken by horsemen, however, and informed that the caravan was approaching under a Mexican escort.

The Americans halted and awaited the traders. They soon came up, with the Mexican escort under command of Colonel Viscara, Inspector-General of the Army of Mexico. A scene of fraternity ensued. The Mexican troops were feasted by Major Riley, who put his troops on review for the Mexican commander, who remained with his army as guests of the Americans for three days. On the 14th of October the commands parted in the most friendly manner, and the caravans returned to the borders of the Missouri without further incident.

There was a second military escort for the caravans. It was in 1834.

The Death of Captain Smith

Captain Jedediah Strong Smith was one of the most remarkable men who ever traversed the mountains and plains of the West in the pioneer days. He was born in New York near the Seneca Indian Reservation. He was given a good education, but he had as playmates the Seneca Indian boys, and his associations with them bred in him a desire to see pioneer life in the Far West. He was but a boy in the War of 1812, yet he was one of the victorious sailors in Perry's Victory. He continued westward, arriving at St. Louis. There he entered the service of General Ashley, of the Rocky Mountain Fur Company. He soon became the first trapper in the Rocky Mountains. His coolness in danger, his daring, his judgment, his aptness for trade, his comprehension of the fur business in all its bearings, made him a leader. He formed the Company of Smith, Jackson & Sublette to take over the business of the Rocky Mountain Fur Company when General Ashley decided to sell out his business. His company did a heavy business, and Smith amassed a competency. He determined to retire from active life in the mountains, for he had seen them all, to the Pacific Ocean. At an early day he led a party into California to hunt. This party passed a winter in the foothills on a stream east of Sacramento. From that circumstance the stream was called the American River—which name it still bears. Leaving his party there, Smith returned to the Great Salt Lake for assistance. He returned and led his companions home through Oregon, up the Columbia, and south through what is now Idaho. As an American explorer Smith stands in the first rank.

In the spring of 1831, some of the old partners of Smith engaged in the Santa Fe trade. Smith did not wish to do further business on the Plains, but was induced by his former partners to become a member of their venture to Santa Fe. The company was one of the best

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equipped that ever took a cargo across the Plains. All went well with it until it entered the desert between the Arkansas and the Cimarron. It seemed that the water had disappeared from every stream and spring. It seemed that death for all was certain. Captain Smith was not daunted. He had faced death too often and in too many forms to quail at the terrors of the Cimarron desert. Mounting his buckskin hunting-horse, he followed a buffalo trail across the burning sands for miles. At length he came upon an elevation from which he descried the winding channel of a stream. It was the Cimarron. He hurried to it and rode down into its bed only to find it dry and glistening sand. But Smith was a plainsman. He dug, with his hands, a hole in the bed of the river. Water slowly rose in this rude spring. As he lay prone upon the sand to drink he was attacked by a vagabond band of Comanches. They wounded him with arrows as he drank. He rose and faced the roguish savages. He battled with them, but was overpowered by numbers and slain. He killed several of his savage assailants—just how many is not now certainly known. The Indians said he killed three of their band. If they would admit the loss of three, Smith probably slew twice that number. The death of Smith was soon widely known, and it was regretted from the Mississippi to the lone hunting-camps of the Rocky Mountains. Few men ever impressed themselves upon the times as Captain Smith did on the wilderness of his day.

The Murder of Chavez

The Santa Fe trade continued without interruption until the year 1843. The Mexican forts on the American frontier were closed in that year in consequence of military activity along the Santa Fe trail by the armed forces of Texas, whose north line was, for some distance, the Arkansas River. In November, 1842, it was reported in Santa Fe that Texan forces were planning to attack traders passing over the Trail, as then in use, in the coming spring. Giving little heed to that rumor Don Antonio Jose Chavez, of New Mexico, started from Santa Fe to Independence, Missouri, in February, 1843. He took with him five servants. He had two wagons and fifty-five mules. He carried some twelve thousand dollars in gold and silver, and some bales of furs. Severe weather was encountered, the month of March proving unusually cold. The men were frost-bitten, and all the mules save five perished in the storms. By the 10th of April Chavez had come to the waters of the Little Arkansas, a hundred miles or more over the line into American territory. There he was intercepted by a company of fifteen men commanded by one John McDaniel. He had enlisted and organized his band on the frontier of Missouri for the purpose, as he said, of joining a certain Colonel Warfield, then on the Plains claiming to be in the service of the Republic of Texas, and intending to attack the Santa Fe caravans. Chavez was made captive and taken off the trail. He was robbed, and his effects were divided among this banditti, seven of whom immediately set out for Missouri with their portions of the spoil. The others

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decided to murder Chavez, which they presently did, shooting him, in cold blood. They then packed their loot upon the mules of Chavez and also departed for Western Missouri. But information of what they had done soon came to the Missouri authorities, and several of them were arrested. Some of the most guilty escaped, including three of the actual murderers. But John McDaniel was tried at St. Louis and hanged for his crime.

The Texans

One Snively, styling himself a Colonel, organized, in North Texas, early in May, 1843, a force of about one hundred and seventy-five men for the purpose of preying on the Mexicans engaged in the Santa Fe trade. Texas and Mexico were then at war, and the purpose of Snively would have been justified had he molested only the Mexicans. He arrived on the Arkansas in May, and was soon joined by Warfield and his company, who had recently lost their horses to the Mexicans by a stampede. Snively came upon a party of Mexicans south of the Arkansas sand hills, and in the skirmish which ensued eighteen Mexicans were killed; and five of the wounded died later. The force of Snively sustained no casualties. The surviving Mexicans fled in the direction of their own country, finding their scalawag Governor, Armijo, encamped with a strong force at Cold Spring. That ferocious sheep-thief waited for nothing, but broke into a mad rout for Santa Fe.

After his encounter with the Mexicans, the force of Snively fell off, seventy-five men leaving for Texas in a body. Soon after this the caravan of traders from Missouri appeared upon the Trail. But they were under escort of Captain P. St. George Cooke, who had a command of two hundred United States Dragoons. Snively was on the south side of the Arkansas about ten miles below the "Caches." Upon the arrival of Captain Cooke Snively crossed the river to meet him, and was informed that he must surrender his arms. This he avoided by a trick, turning over the antiquated and harmelss fusils taken from the Mexicans in the recent skirmish.

The action of Captain Cooke demoralized Snively's forces. Many of his men returned directly to Texas. And when Captain Cooke retraced his steps to Fort Leavenworth he carried about forty of the Texans with him as captives. Something like sixty of Snively's force soon elected Warfield as their commander and pursued the caravan of traders, then well on their way beyond the Cimarron. At the Point of Rocks, twenty miles east of the Canadian, they abandoned the pursuit, and went back to Texas. And the interference of the Texans with the Santa Fe trade was at an end. Santa Anna, then President of Mexico, issued a decree on the 7th of August, 1843, closing the port of New Mexico to all commerce. That decree was superseded by the order of March 31, 1844. And ninety wagons carrying goods valued at two hundred thousand dollars, taken out by nearly two hundred men, found their way from Missouri to Santa Fe the following summer.

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Doniphan's Expedition

The most important military expedition to pass over the Santa Fe Trail was Doniphan's Expedition. To Santa Fe it was commanded by General S. W. Kearny, who went on to California. Colonel Alexander W. Doniphan was left in command of the expedition. This whole military movement is known in history as Doniphan's Expedition. It was organized at Fort Leavenworth in the spring of 1846, as a part of the American forces of the Mexican War. The volunteer force was

Col. A. W. Doniphan

[From Photograph Owned by William E. Connelley]

made up on the frontier of Missouri, various counties of that State contributing companies. It was called the First Regiment Missouri Mounted Volunteers, Mexican War. Alexander W. Doniphan had joined the Clay County Company as a private, but in the selection of officers he was elected Colonel of the Regiment. Congreve Jackson was Lieutenant-Colonel, and William Gilpin was Major.

The regiment marched from Fort Leavenworth on the 26th day of June, 1846. It crossed the Kansas River at the mouth of the Wakarusa. From that point it marched south to the Santa Fe Trail, coming into that historic highway at Black Jack Point. The location known

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by that name to the Missourians is not the point of the same name where John Brown met and captured the Border-Ruffians. It is the elevation overlooking the valley of Coal Creek, and where the Fort Scott Road crossed the Trail. The town of Brooklyn was laid out there. The regiment followed the Trails and arrived eight miles below Bent's Fort and crossed into Mexican territory on the 29th of July. The final stage of the march to Santa Fe was begun from Bent's Fort on the 2d of August. Santa Fe was entered on the 18th day of August, 1846, and New Mexico was taken without the shedding of a drop of American blood. Colonel Doniphan made a successful campaign against the Navajo Indians and then invaded Mexico from the north. He defeated the Mexicans at Brazito, north of El Paso, which post fell into his hands in consequence. On Sunday, the 28th day of February, 1847, he fought the battle of Sacramento, twelve miles north of Chihuahua. This was not the greatest battle, but it was the most remarkable battle ever fought by Americans. An army of five thousand Mexicans was attacked and destroyed by an army of Missourians, less than a thousand strong. And the Missourians lost but four men killed and eight wounded. Colonel Doniphan took possession of Chihuahua, which he held until ordered to report to General Wood at Saltillo. The expedition returned to Missouri by way of New Orleans.

How possession of New Mexico was secured without a battle has never been told. The story has been withheld by the War Department at Washington. This author learned of the existence there of the valuable documents. Access to them was long denied. But perseverance finally prevailed, and in May, 1910, I was permitted to make copies of those papers—the only copies ever made. They tell a thrilling story, and a story of great importance to the history of the country. It is the most important incident connected with the Santa Fe Trail. Because of their value they are set out here:

WAR DEPARTMENT,
WASHINGTON, JUNE 18, 1846.

Sir:

At the request of the President I commend to your favorable consideration the bearer hereof, Colonel James W. Magoffin. Mr. M. is now and has been for some years a resident of Chihuahua and extensively engaged in trade in that and other settlements of Mexico. He is well acquainted with the people of Chihuahua, Santa Fe and intermediate country. He was introduced to the President by Col. Benton as a gentleman of intelligence and most respectable character. The President has had several interviews with him and is favorably impressed with his character, intelligence and disposition to the cause of the United States. His knowledge of the country and the people is such as induces the President to believe he may render important services to you in regard to your military movements in New Mexico. He will leave here for Santa Fe immediately and will probably overtake you before you arrive at that place. Considering his intelligence, his credit with the people and his business capacity it is believed he will give important information and make arrangements to furnish your troops with abundant supplies in New Mexico. Should you apprehend difficulties of this nature it is

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recommended to you to avail yourself in this respect and others of his services for which he will as a matter of course be entitled to a fair consideration.

Very respectfully,
Your Obt. serv.,
W. L. MARCY,
Secretary of War.

Colonel S. W. Kearney.

SANTAFE, AUGUST 26, 1846.

Hon. W. L. Marcy,
Secretary of War,
Washington City.

Sir:

I arrived at Bent's Fort on 26 July, where I found Genl. Kearney, presented the letter I received from your hands, and was well received. The Genl. on the 1st day of August dispatched Capt. Cook with 12 Dragoons accompanied by myself, with a letter to Governor Armijo which was delivered on 12th inst. 10 P. M. We were well received, and dined with his excellency, had a long conversation with him and proved to him from Genl. K. letter that the troops then entering the Department were only to give peace and protection to the inhabitants and assured him that I had been dispatched by the President of the United States in order to inform him and the rest of the good people of New Mexico with whom I was acquainted that this was the only object of our Govmt. I found many of the rich of the Department here, also the militia officers, with whom I had ample intercourse. I assured them the only object of our Govmt. was to take possession of New Mexico as being a part of the territory annexed to the U. S. by Texas and to give peace and quietude to the good people of the country which gave them entire satisfaction. Was then assured by Col. Archulette, 2nd in Command, that he would not oppose Genl. K's entrance,.etc. Genl. Armijo on the 15th ordered his troops say 3,000 in number to be placed between two mountains with four pieces of artillery on the road by which our army had to pass, having promised Genl. K. to have an interview with him in his note borne by Capt. Cook 14th inst. Say some 50 miles dist. at a place called the Vegas, Armijo left this place early on the 16th with 150 Dragoons and joined his army, called his officers together and wished to know if they were prepared to defend the territory. They answered they were not, that they were convinced by the proclamation they had seen from Genl. K. that the U. S. had no intention to wage war with New Mexico, on the contrary promised them all protection in their property person and religion. Armijo, *apparently* appeared very much exasperated, gave orders for the troops to be dispersed and in 48 hours they were all at their homes, he himself leaving for the state of Chihuahua, with say 100 dragoons, maltreating all good citizens on his route, and pressing their animals. Genl. Kearney entered this city on the 18th 5:00 o'clock P. M., the authorities and people of the place being ready to give him a hearty welcome, marched up to the Palace, entered the apartment prepared for him and his *servt.*, made an handsome and appropriate speech to the authorities after which they all swore allegiance to the United States. The palace was crowded and many bottles of generous wine was drank being prepared for the occasion by the acting Governor. The next day by request of the Genl. the people were assembled in the public square where he addressed them in a very handsome manner, after which the people shouted long live our *General* and the *United States.*

The clergy of the province have all called on the Genl. since his arrival and have returned to their homes perfectly satisfied. I had the

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honor of accompanying the Genl. and the staff to high mass last Sunday. The church was filled with natural and adopted sons of the United States and all passed off in the most perfect order. The Genl. gave on yesterday a splendid ball at the Palace, which was universally attended by all the respectable citizens of the city, and passed off in handsome style. The fact is to make a long story short.

Genl. Kearney by his mild and persuasive manners has induced the good people of New Mexico to believe that they now belong to the greatest nation on earth, and that the *stars* and *stripes* which are now so gallantly waving over the capitol of this City will always give them ample protection from foreign foes. The Genl. will leave this on a visit to some of the principal towns on the Rio Grande and I will leave with him and proceed to Cha. with all possible speed. Will give you all the news from there as soon as practicable after the arrival of General Wool.

My respects to the President, and believe me to be Yours truly,

J. W. MAGOFFIN.

WASHINGTON CITY, APRIL 4, 1849.

Hon. Mr. Crawford,
Secretary at War.

Sir:

The remark which you made that Mr. Marcey said there was no "*contract*" with me for my services in Mexico, and the time that has elapsed since without hearing anything more, naturally makes me uneasy, and I write this brief statement for the purpose of showing my view of my case.

I certainly made no contract with the Government, nor did such an idea enter my. I engaged, at the request of President Polk, to go to Mexico, where I had been for many years, to be of service to our troops, and I took what they gave me, *to wit:* letters to accredit me to the Generals. They did accredit me and imploy me. I went into Santafe ahead of Genl. Kearney and smoothed the way to his bloodless conquest of New Mexico. Col. Archulette would have fought: I quieted him. It was he who afterwards made the revolt which was put down with much bloodshed by Genl. Price. Fight was in him, and it would have come out at first, carrying Armijo with him if it had not been for my exertions. I recommended to Genl. Kearney to give him some place, which would compromise him, which the General intended to do, but was prevented by some cause to me unknown, and the consequence was the revolt at Taos, the death of Governor Bent, and all the bloodshed that took place. Archulette fled to the South and did not return til after the peace. He was second in command and had about a thousand of the best troops in New Mexico and if he had held out for resistance, Armijo would have been obliged to have done the same, and a bloody resistance would have been made in the defiles through which General Kearney had to pass. Bloodless possession of New Mexico was what President Polk wished. It was obtained through my means. I could state exactly how I drew off Archulette, from his intention to fight. The papers which I file, Doc. Connelly's letter, Major Cook's and Capt. Turner's, all allude to it, and Genl. Kearney's was explicit.

After this service I went forward under the directions of General Kearney to render the same service to General Wool. I entered Chihuahua, he did not arrive, and that led to my imprisonment to the great loss of my property and the vast expenses which I had to incur, it was to smooth the way for General Wool that I went to Chihuahua. If he had come I should probably have done as much for him as I did for General Kearney.

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I have neglected my business for three years, have not been with my family during that time, have made great expenses and suffered great losses and the statement of items which I presented is not an *account*, but a statement to give some idea of what it would take to remunerate me the service I rendered is above paid.

I was engaged in June, 1846, by the President and Secretary of War in the presence and with the knowledge of Senator Benton. The service and the engagement was acknowledged by President Polk, after I got back in presence of Senator Atchison and the only reason for not paying me was the want of money, see Mr. Atchison's certificate, then Mr. Atchison sent a resolution to the Military Committee of the Senate to inquire into making an appropriation for me. My papers were before the committee and no other claim, I am informed, and the $50,000 was reported to cover my case.

Senator Atchison has gone away, Senator Benton is going and I begin to feel uneasy about my compensation and beg your attention to my case.

Yours respectfully,

J. W. MAGOFFIN.

The United States, Dr.,

To J. W. Magoffin.

To secret and personal services in the Mexican War under special engagement with President Polk, commencing from the 18th of June, 1846, when I left Washington City in the employment of the Government until I got back in February, 1849, being two years and eight months of time and extending to Santafe, Chihuahua, and Durango.

The service being secret, accounts and vouchers could not be kept, but the items which make up the above amount are as follows:

1st. My time, a merchant in business which I had to neglect for two years and eight months, pr. mo. $300	$ 9,600.00
2nd. My expenditures, to wit	
from Washington to Independence, Mo	50.00
for 1 small wagon with springs	150.00
for 1 pair horses	160.00
for 1 pair mules	160.00
for an escort of 6 Mexicans to El Paso, after leaving Genl. Kearney	150.00
of money received in Chihuahua as per certificate of V. Commercial Agent of the U. States, which was expended in bribes in that city in order to extricate from the military judge, Genl. Kearney, written statement of my services in Santafe, New Mexico directed to the Secretary of War, Washington	3,800.00
Ford.	$14,070.00
Amount brot forward	$14,070.00
Expenditures continued	
of money recd. in Durango, as pr letter of J. Beldin Durango, with my acceptance inclosed, which was paid to the Auditor of War of that City for releasing me from my imprisonment	1,100.00
of money recd. from J. Randell & Co. as pr. bill and recpt. given to a Mexican friend for making the arrangement with the *Auditor*	500.00
for entertainments to officers military and civil and influential citizens at Santafe, Chihuahua and Durango, to accomplish the object of promoting the interests of the United States	2,000.00

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Claret wine being worth per dozen.....$18.00
Champagne being worth per dozen..... 36.00
Paid for subsistence during the time for self, horses and servants, wages and clothing, charged as for a *Colonel of Cavalry,* my duties keeping me with officers of all ranks up to the Governors and generals, 2 years, 8 months, per mo., $118.50..... 3,792.00

3rd. *Sufferings.*
nine months' imprisonment at Chihuahua, and Durango, (can't be estimated)

4th. *Losses.*
sustained by an attack made by the Apache Indians, whilst traveling from Santafe to Chihuahua, consisting of a waggon, (*before charged*) trunk, clothing and money.. 350.00

Ford. $21,812.00

Amount brot forward $21,812.00

Losses, continued.
Sustained at Chihuahua, during my imprisonment as pr statement of Mr. Jno Potts, certified by the Vice Commercial Agent of the United States, being a suffering in purse as well as in body, for that imprisonment..... 15,968.96

$37,780.96

The above is submitted, not as an account against the United States, but as data to assist in forming an opinion of the amount that ought to be paid me for my services, by showing what they cost me, as for the services themselves they cannot be valued in money. The bloodless conquest of a province and the conciliation of the feelings of an invaded people, are services above money value and these I rendered at great cost, loss and danger to myself. I had peculiar means to be serviceable, and that was known to the Government. I had been consul at Satillo and Chihuahua fifteen years. I was a merchant in a large business: I spoke the language of the country, was married to a Mexican lady; had a general acquaintance with the inhabitants and had the influence which attaches to such a position in such a country. I went ahead of Genl. Kearney and secured his unopposed march into Santafe. I went down the country and conciliated the people. The bloodless conquest of N. Mexico and the easy advance of our troops was the finest [finish]; and these are services which cannot be estimated in money, I only show what they cost me.

General Kearney gave to my brother Saml. Magoffin at Santafe, a written statement of my services addressed to the Secretary of War, a letter all in his own handwriting to be forwarded to me at Chihuahua by the first safe opportunity. My brother forwarded by Dr. Connelly. He was taken prisoner at El Paso and all his papers seized and forwarded to the military judge at Chihuahua, where I was then prisoner, and the authorities on the search for testimony against me. The military judge brought the letter to me, (Genl. Kearney's was one inclosed in one from my brother) without having shown it to the Governor or General. We understood one another he told me to tear it up, which I did in his presence, for I was a prisoner and it was not safe for either of us that I should keep it. That affair cost me $3,800 and deprived me of General Kearney's statement to lay before the Government. He wrote it as a matter of precaution and justice to me just before he left

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for California, and his death has prevented me from ever seeing him again.

The whole $50,000 mentioned in the law I might well claim, but the sum of $40,000 will be received in full satisfaction.

J. W. MAGOFFIN.

CLAIM OF JAMES W. MAGOFFIN.

On an examination of the papers presented in this case, the following facts appear.

That on the 18th of June, 1846, at the instance of the President, Mr. Magoffin was commended by the War Department to a favorable consideration of General Kearney, then in command of a military expedition to Santa Fe, and to the Commanding officer of the expedition to Chihuahua, as a person who then was, and had been for some years a resident of Chihuaha, and extensively engaged in trade in that and other settlements of Mexico, that he was introduced to the President by Col. Benton, as a gentleman of intelligence and most respectable character, that the President being favorably impressed with his character, intelligence, and disposition to the cause of the United States, believed he might render important services to both those military movements, to the extent needed, and that his credit with the people and his business capacity would enable him to give important information and make arrangements to furnish the troops with abundant supplies, that he was therefore recommended to these respective commanders, who were requested in case they should apprehend difficulties of this nature, to avail themselves, in this respect, and others, of his services, for which he would as a matter of course, be entitled to a fair consideration.

It further appears that Mr. Magoffin joined Genl. Kearney at Bent's Fort, on the 26th of July, 1846, and at the instance of that General, accompanied Capt. Cooke with a flag and letter to Governor Armijo, at Santa Fe, where by his influence and address, he was instrumental in neutralizing the hostile feelings of the Mexican authorities in that quarter, and in obtaining for our troops the peaceful possession of that place. That after this was effected, he proceeded with General Kearney on a visit to some of the principal towns on the Rio Grande, where he left that officer, and continued his route to Chihuaha, near which place, in the fall of 1846, he was taken prisoner by the Mexican authorities, and afterwards sent to Durango, where he remained in confinement until released, the date of which release is not stated, although he is said to have been in confinement nine months.

For the services rendered by him, the expenses incurred in rendering them, and the losses he sustained by reason of his capture, etc., Mr. Magoffin presents the following claim, amounting in all to $37,780.96.

1. For his time, being a merchant in business which he had to neglect for two years and 8 months, at $300.00 per month..$9,600
   Remark. If this amount is intended as an equivalent for the services he is supposed to have rendered, considering their importance, and the risk he incurred it may not be deemed too high, being at the rate of only $3,600 a year.
2. For expenses between Washington City and El Paso, including an escort of six men, after leaving Genl. Kearney.....$670
   Remark. The items in this charge appear reasonable, with the exception of $160, paid for a pair of mules, which is considered high.
3. For amount expended in bribes in Chihuaha, in order to obtain possession of Genl. Kearney's statement of his serv-

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ices in Santa Fe, then in the hands of the military Judge and which, if not destroyed, would have placed his life in jeopardy $3,800

Remark. There is no evidence but the declaration of Mr. Magoffin that the money was so expended. It is presumed from the transpiring circumstances that these bribes were actually paid, and that they were the means of releasing him from the fate which appears to have awaited him, on account of the important secret services he rendered in obtaining peaceable possession of Santa Fe, and I should think he ought in justice to be remunerated. It is not an unusual thing for Governments to seek, even at considerable cost, to obtain the release of their secret agents, taken by the enemy as spies, the efforts on the part of the British authorities in respect to the capture of Andre may be suggested as a case in point. Had the papers in the case of Magoffin been preserved it would have been the means of convicting him as a spy.

4. For money paid by him to the authorities in Durango for his release from imprisonment $1,100
And for money given to a Mexican friend for making arrangements for that release $500

Remark. There is no evidence to support these charges, which rest upon the mere declaration of Mr. Magoffin. The letter of Mr. Baldwin referred to by the claimant, in proof, merely mentions the return to Magoffin of his acceptance for $1,100, in favor of the former, but the object for which the money was expended does not appear.

5. For entertainment to officers, military and civil, and to influential citizens of Santa Fe, Chihuaha and Durango, to accomplish the object of promoting the interests of the United States $2,000

Remark. If this item had been confined to entertainments given in Santa Fe, it would have been better understood, and perhaps might not be deemed too high a charge, considering the importance of the object obtained by them. But how entertainment in Chihuaha and Durango could have promoted the interests of the United States, while the claimant was a prisoner in those cities, or even after his release, when he was compelled to act with great circumspection, is not sufficiently clear. This would seem to require some explanation.

6. For subsistence for himself, horses and servants, wages and clothing charged as a *Colonel of Cavalry* $3,792

Remark. In admitting the reasonableness of the charge in the 1st item of the claim for time and services rendered at the rate of $3,600 per annum, it was intended to include subsistence, forage, servants, and clothing. As Mr. Magoffin has charged these items separately and at the rate allowed to a Colonel of Cavalry, there is a propriety in paying for his services at the same rate. The pay and emoluments of a Colonel of Cavalry, including such items as these, do not exceed $3,600 per annum. I think therefore they should not be allowed, if the 1st item of the claim is admitted.

7. For losses sustained in consequence of an attack made by the Apache Indians, while travelling from Santa Fe to Chi-

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huaha, consisting of a wagon, (before charged) trunks, clothing and money $350

Remark. This item is inadmissible. The government cannot be held to pay for the loss of the private effects of its agents. Besides, the charge for the loss of the wagon, if admitted, would be equivalent to paying twice for the same article, the wagon being already charged in 2nd item of the claim under expenses from Washington to El Paso.

8. For loss sustained at Chihuaha during his confinement, in consequence of duties levied upon his goods, after Doniphan's departure from that place..... $15,968.96

Remarks. The evidence in support of this item is the certificate of Mr. Jno. Potts, which goes to show that he purchased from Mr. Saml. Magoffin 311 bales of merchandise belonging to Mr. James Magoffin then a prisoner in Durango—that the merchandise was purchased on time, and at an amount equal to its original cost, and an augmentation of 50 per cent of the expenses thereon to the city of Chihuaha, with a guarantee that the purchaser should not be responsible for the duties of any kind whatsoever. The certificate further states that this property would not have been disposed of by Mr. Saml. Magoffin at a rate so ruinous to his brother's interest, but for the utter impossibility of removing it from Chihuaha and the fear of its being seized by the authorities of Mexico, to which danger it was exposed from the retirement of Col. Doniphan from that city, who had no sooner withdrawn his forces than the Mexican Governor levied duties upon this merchandise to the amount of $15,968.96, which amount was paid by Mr. Potts and afterwards refunded by Mr. James Magoffin.

Admitting that this is a correct statement of the transaction—that the goods were sold at the sacrifice, as stated, and that the amount of duties levied upon them by the Mexican Governor, was at the cost of Mr. Magoffin, it does not necessarily follow, that the losses he thus incurred are a fair charge against the United States, growing out of his secret services. The same exaction on the part of the Mexican Government, would, in all probabilities have been made, had Mr. Magoffin been in the exercise of his privileges as an American Merchant, residing in Chihuaha, and he can have no greater claim to indemnification than any other American merchant, then residing in that city and who sustained similar losses.

From an examination of all the papers in support of the account presented by Mr. Magoffin, and admitting that the services rendered by him were important, and were justified by the authority given for his employment as special agent, the following items in that account may be considered a fair charge against the United States, to wit:

1.	For his time and services.....	$ 9,600
2.	For his expenses from Washington to El Paso.....	670
3.	For amount paid as bribes for his safety.....	3,800
4.	For amount paid to affect his release from prison.....	1,600
5.	For expenses of entertainments given by him.....	2,000
		$17,670

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The items rejected for reasons given are:

6.	For subsistence for himself, horses, servants, etc.....	$ 3,792
7.	For loss of private baggage captured by Indians.....	350
8.	For loss by duties, levied upon his merchandise.....	15,986.96
		$20,128.96

In consideration however of the important services rendered by Mr. Magoffin in aiding to overcome resistance on the part of the Mexican authorities, in the conquest of New Mexico as shown by the letters of Lt. Col. Cooke and Maj. Turner of the Army, and the heavy losses he has sustained during the late war with Mexico, as well as his suffering while a prisoner in the enemy's hands, I recommend that he be allowed the sum of $30,000.00 in full of all demends against the United States.

Respectfully submitted,

GEO. W. CRAWFORD,
Secretary of War.

April 1, 1849.
To the President.

HARRODSBURGH, KY., JUNE 22, 1847.

My dear Sir:

Permit me to call to your attention, and that of the President, the situation of Mr. Jas. Magoffin, whose widowed mother and numerous relatives of whom I am one, all reside in this place and vicinity, consisting of half of this county, (Mercer, Ky.). He was taken prisoner near Chihuahua last fall and condemned to be shot as a Mexican traitor having lived in that place as a merchant and was returning to Chihuahua to look after his affairs from *Santa Fe*, having been of essential service to Genl. Kearney was in advance of him on his march to California. His sentence was suspended at the request of Governor Amijo, his wife being a relation, Mr. Magoffin never became a citizen of Mexico, altho authorized to be so, always declined. His wife is dead and his children are at school in this state and Missouri, when Col. Donaphan approached Chihuahua he was sent off a prisoner to Durango where I understand he is now detained, still subject to his original sentence. Will you be so good as to request General Taylor to take immediate steps for his safety and release. Mr. Magoffin was born in this place and his friends take a deep interest in his release.

I hope you will indulge me in saying a few words about the Mexican War, which has been conducted so far with an energy highly honorable to the President and yourself, in the face of an opposition dishonorable to the Leading Whigs whose hypocrisy is only equaled by their impudence, many of them would disgrace their country to injure the President. I hope you will go straight ahead without regarding their clamors. The people are getting right in this State, and if we do not elect some three or four Democrats, it will not be for want of trying. In this District Mr. Charles A. Wickliffe is making a strong impression. His opponent is compelled to say he will vote men and money for the war, altho he is foolish enough to say that the President blundered into the war and that Texas is not worth having or California either, and this has weakened him with honest Whigs. There seems to be some uneasiness as to what we are to do if Mexico still refuses to treat. For my part I think our course is a plain one. I know something of the Spanish character. They are a proud, haughty people and kindness and forbearance is lost upon them. Gratitude is not one of their virtues, and conciliation can only be made through their fears. The masses are ignorant and under the *absolute control* of their priests, who are venal

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and corrupt. Touch their money and you reach their hearts. Make it their interest to have peace and we will soon have it. They care not for the common people and it is only when they are made to feel [fear] that they become humble as spaniels. When Genl. Scott reaches the city of Mexico his first duty will be to unite with one of their parties, the priests included, and have a government organized to suit the times. Capture St. Ana Alamonts, Salas, and others or drive them out of the country. If any more of their generals, colonels, etc., are taken send them all to New Orleans, release none of them. They will promise anything when in our power, and the next moment betray and cut our throats, and if nothing else will do separate the northern provinces from Mexico, as Yucatan now is, but we will have to protect any party we may side with for some time. There is too much ignorance to understand *at present* a federal Government, and a central government never can control the whole. We must have California and New Mexico, at least by way of indemnity, and then there the Rio Del Norte may be the line to a line running west of the Gila River. England may be induced to agree to this by paying the purchase money to her creditors, but it is true that England and France have heretofore by their intrigues created all this hostile feeling in Mexico against the United States. It is now their interest to have peace. I know that England for years kept the feelings of all the South American Republics jealous of us and at this moment they can do much for peace if they chose. Our Whig papers and speeches in Congress have done more to keep up this war than anything else. General Scott should be instructed *to embargo* all newspaper going to the city of Mexico or suspicious letters, as they have their spies and partisans at Washington City and at New Orleans—*stop this channel of communication*, and you stop all the fuel to this war. Cut it up root and branch and let martial law prevail in the city of Mexico and Vera Cruz. If General Scott and Taylor will do this we will not hear any more Corwin's speeches or "*our Friend*" in the United States. It is not generally known what immense number of our papers are sent to all those South American Republics and to Mexico. When at Bagota from 1833 to 1837 I could always find the National Intelligencer and other Whig papers, abusing our Government when mine were left behind.

Yours truly with high respect,

ROBERT B. MCAFEE.

I do hereby certify that being in Santafe, N. Mexico in August, 1846, before the arrival of Genl. Kearney, and being intimately acquainted with Col. Diego Archulette and having an opportunity of conversing with him particularly on the subject of impeding the entrance of the U. S. forces into that City.

Always found him determined to make all possible resistance having in his Command 1000 soldiers, the best New Mexico could produce. On the arrival of Capt. Cook and J. W. Magoffin August 13 was requested by Mr. M. to give him my opinion respecting the intentions of Genl. Armijo, and particularly that of Col. Archulette, which I did, informing him that the Genl. was not determined but the Col. was decided in making all possible defence and his opinion would be adhered to by a majority of the officers. I then left Santafe with many other Americans by permit of Genl. Armijo, believing it would be unsafe to remain in the City, leaving behind Magoffin who remained for what purpose I knew not believing a strong resistance would be made a few miles from the city must say that I was much astonished as well as gratified to find that Genl. K. met with no opposition on his entry into Santafe. On the contrary was received with much courtesy, by the acting Gov-

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ernor of the city and the rest of the authorities, Mr. Magoffin being one of the number on his reception at the Palace. The day before Genl. K. entrance, some few leagues distant, Genl. A. called his officers around him in order to consult what would be the best measure to adopt. Col. Archulette being second in command gave as his opinion that it was unnecessary to make a defence. This was adopted by all. The troops were then disbanded and Genl. A. retreated with a Company of Dragoons to Chiha. Col. Archulette retired to his country residence. The opinion of Col. Archulette was surprising to many; knowing his previous determination was entirely contrary, Mr. Manos and Palacios,

DR. HENRY CONNELLY

[From Photograph Owned by William E. Connelley]

Mexicans of the first standing in this city being in New Mexico before and on the arrival of Genl. K. and knowing the positive intention of Genl. Armijo and particularly of Col. Archulette was to defend the place, retired immediately to this city and reported to the Governor that J. W. Magoffin had been the cause of non resistance and that he had bought over Genl. Armijo and Col. Archulette this information with others led to the imprisonment of Magoffin on his arrival at el Paso. I was also imprisoned on my arrival there a few days. Afterwards I brought down in Company with Magoffin to this city in October.

This is in substance what occurred under my knowledge.

Chihuhua, Sept. 20th, 1848.

HENRY CONNELLY.

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Commercial Agency of the
United States,

CHIHUAHUA, SEPT. 20, 1848.

I, Alfonso C. Anderson, Vice-commercial Agent of the United States for the City of Chihuahua, certify that this day personally appeared before me Henry Connelley, a gentleman of high standing and character in this City, who being duly *shown* made oath and declared that the foregoing document to which this is connected, and to which he has signed his name is true in every respect, and that his signature thereto is genuine and deserving full faith and credit.

In witness whereof I have hereunto signed my name
(Seal) and affixed my official seal, the day and date above written.

ALFONSO C. ANDERSON,
Vice-Comml. Agt. c.

PHILADELPHIA, FEBRUARY 21, 1849.

To J. W. Magoffin, Esq.
Dear Sir:

If the following statement of such of your important services as came to my personal knowledge during the invasion of New Mexico can serve to elucidate your sacrifices and risks during the War, it gives me pleasure to make it.

I shall not easily forget the pleasure which your company give me when I preceded the army with a flag, from Bent's Fort to Santa Fe, nor the advantages of your knowledge of the country and its language.

I am strongly impressed with the skill you exhibited not to compromise your old influence over the Mexican General, by an *appearance* of your real connextion with myself. (even furnishing an interpreter, rather than appear on the official occasion;) At *night*, however, you accompanied Genl. Armijo to my quarters, when, by your aid, we had a secret conference. I then understood the Mexican Governor's real disinclination to actual resistance, to which, I believe, according to our instructions, you gave important encouragement particularly in neutralizing the contrary influence of young Colonel Archulette, by suggesting to his ambition the part *of* bringing about a pronunciamento of Western New Mexico in favour of *annexation;* (Genl. Kearney's first proclamation claiming only to the Rio Grande.)

I had personal knowledge of the high opinion which that General entertained of your discretion and services; and, that it may well be considered a piece of good fortune, that at the expense of a large bribe, you were suffered to destroy the General's own written statement of them, only shows how narrowly you escaped with your life, in your further efforts to serve our Government in Chihuahua.

With high respect, sir, I remain,

Your ob. Servant,
P. ST. GEO. COOKE,
Major, 2 Drags.

WASHINGTON, MARCH 23, 1849.

The Honorable Mr. Crawford.
Secretary of War.
Sir:

In a conversation with the late President of the United States, Mr. Polk, he informed that Co. Megoffin was introduced to him by my colleague Col. Thomas H. Benton, and from Col. Megoffins intimate knowledge of the Mexican affairs and his intimate acquaintance with the leading men in New Mexico and Chihuahua, he deemed it important

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to secure his services for the government of the United States in that quarters during the war and engaged his services accordingly.

He further said that he was reddy and willing to make a just allowances for such services, but that there was no appropriation of money for that purpose.

An appropriation was made at the last session for such services growing out of this claim.

Your obt. Servt.,
DAVID R. ATCHISON.

I hereby certify that in the month of April, in the year 1847, Mr. Samuel Magoffin sold some three hundred and eleven bales of merchandise which he stated to be the property of his brother, Mr. James Magoffin, then a prisoner of war in the state of Durango, said three hundred and eleven bales I purchased on time at a cost of an amount equal to their original cost and an augmentation of 50 per cent of the expenses thereon to this city, with a guarantee that I should not be responsible for duties of any kind whatsoever.

I further certify that Mr. Samuel Magoffin would not have disposed of this property at a rate so ruinous to his brother's interest, but for the utter impossibility of removing it from Chihuahua and the fear of its being seized by the authorities of Mexico, to which danger he was much exposed from the precipitate retirement of Col. Donaphan from this city, who had no sooner withdrawn his forces than the Mexican government called on me to pay duties on the same which amounted to fifteen thousand nine hundred and sixty-eight dollars 96c, $15,968.96, which I was compelled to satisfy and which sum has been refunded to me lately by Mr. James Magoffin.

Chihuahua, Mint.
MEXICO, 1ST OCT. 1848. JOHN POTTS.

Commercial Agency of the United States,
CHIHUAHUA, OCTOBER 1ST, 1848.

I, Alfonso C. Anderson, Vice-Commercial Agent of the United States, for the city of Chihuahua certify that this day personally appeared before me John Potts, a subject of Great Britain, who is personally known to me and is a gentleman of high standing and character in this city, who being duly sworn, made oath and declared that the foregoing document to which this is connected and to which he has signed his name is true in every respect. Further that his signature thereto is genuine and deserving full faith and credit.

(Seal) In witness whereof I have hereunto signed my name and affixed my official seal the day and date above written.

ALFONSO C. ANDERSON,
Vice. Comml. Agt.

GILPIN'S SANTA FE TRAIL EXPEDITION

After the return of Colonel Doniphan's Expedition to Missouri the Indians became troublesome along the Santa Fe Trail. The force raised by the Government to protect travel and trade on the Plains was organized by Major William Gilpin. It was also commanded by him in its remarkable campaign along the Santa Fe Trail. Here is the account of its organization and services:

Gilpin's Santa Fe Battalion, Missouri Mounted Volunteers, Mexican War.

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This battalion was also known as "Gilpin's Battalion Mounted Volunteers," "Indian Battalion Missouri Volunteers," and "Battalion Missouri Volunteers for the Plains."

The battalion consisted of Companies, A, B, C, D, E. Company C was Captain William Pelzer's Artillery Company.

Mounted Companies.....A and B
Artillery C
Not Mounted.....D and E

Roster of Company C shows 20 officers and 84 privates.

Roster of Company D shows 17 officers and 63 privates.

Roster of Company E shows 17 officers and 69 privates.

Rosters of Companies A and B not found in the office of the Adjutant-General, State of Missouri.

Field and Staff

Field and Staff, Santa Fe Trace Battalion, Missouri Mounted Volunteers, Mexican War.

Muster Roll for September 18, 1847, to April 30, 1848, shows station at Fort Mann, Middle Arkansas River [in what is now the State of Kansas]. This Roll bears date, June 25, for April 30,—"nunc pro tunc." Reason, "absence of myself and three Companies in the Comanche Country." W. Gilpin, Lt. Col. Commanding.

Roll signed: W. Gilpin, Lt. Col.

Muster Roll, April 30, to October 3, 1848, shows Company at Independence, Missouri. Roll signed: W. Gilpin, Lt. Col.

Field and Staff mustered for discharge at Independence, Missouri, October 3, 1848, and honorably discharged by E. A. Hitchcock, B. Col., U. S. A., Mustering Officer.

Roster of Field and Staff, Colonel W. Gilpin's Battalion of Missouri Volunteers, Mexican War.

Roster

1. William Gilpin, Lt. Col.
1. Henry L. Routt, Adjutant.
1. Ephraim P. January, Asst. Surgeon.
1. Ashley G. Gulley, 2nd Lieut.
1. Edward Colston, 2nd Lieut.
1. Jacob T. Tindall, Sgt. Major.
1. Adam Krafft, Chief Bugler.
1. Benjamin S. Long, Asst. Surgeon.
1. William Kuhlan, Q. M. Sgt.

Company A

Captain John D. Griffith's Company A, Mounted Santa Fe Trace Battalion, Missouri Mounted Volunteers, Mexican War.

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Muster-in Roll dated September 3, 1847, shows station of company at Fort Leavenworth.

Company arrived at Fort Leavenworth, Missouri, place of general rendezvous, September 1, 1847.

Company accepted into the service of the United States for term of "During the War with Mexico" from September 3, 1847, by C. Wharton, Lieut.-Colonel First Dragoons, Mustering Officer.

Muster Roll, September 3, 1847, to April 30, 1848, shows station of company at Fort Mann, Middle Arkansas.

The company had been encamped and on the march in the Indian country since the middle of September, 1847, and during March, April, and May, in the center of the Comanche country. This Muster Roll is therefore made at this date—"nunc pro tunc." Roll dated June 24, 1848.

Roll signed: John C. Griffith, Captain.

Muster Roll, April 30 to September 28, 1848, shows station of company, Independence, Missouri.

Roll signed: John C. Griffith, Captain.

Company mustered for discharge at Independence, Missouri, September 28, 1848, and honorably discharged by E. A. Hitchcock, B. Col., U. S. A., Mustering Officer.

Company B

Captain Thomas Jones's Company B, Mounted Santa Fe Trace Battalion, Missouri Volunteers, War with Mexico.

Muster-in Roll, dated September 11, 1847, shows station of company at Fort Leavenworth.

Company arrived at Fort Leavenworth, September 8, 1847.

[Other entries, similar to those made on the Rolls of Company A.]

Company C

Captain William Pelzer's Company C, Artillery, Santa Fe Trace Battalion, Missouri Volunteers, Mexican War.

Muster-in Roll, dated September 10, 1847.

Company arrived at Fort Leavenworth, September 8, 1847.

Term of service same as Companies A and B.

Report from Fort Mann, Middle Arkansas, "nunc pro tunc" owing to continued separation; difficulty of communication between detached portions of battalion; and absence of Paymaster.

Company discharged at Independence, Missouri, October 2, 1848.

Company D

Captain Paul Holzcheiter's Company D, Santa Fe Trace Battalion, Missouri Volunteers, Mexican War.

Muster-in Roll. dated September 18, 1847.

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Company at Fort Mann, Middle Arkansas, same dates and same reasons for "nunc pro tunc" reports as given by Companies A and B.

Company discharged at Independence, Missouri, October 1, 1848.

Company E

Captain Napoleon Koscialowski's Company E, Santa Fe Trace Battalion, Missouri Volunteers, Mexican War.

Muster Roll, September 18, 1847, to April 30, 1848, shows company at Fort Mann, Middle Arkansas. The above company being on the march through the center of the Comanche country during March, April, and May, this Roll bears date in June—"nunc pro tunc." W. Gilpin, Col. Comdg.

Roll signed: Napoleon Koscialowski, Captain.

Company Muster Roll, April 30, to September 30, 1848, shows company at Independence, Mo.

The company left Fort Leavenworth on the 4th day of October, 1847, and ascended the Arkansas to the foot of the Rocky Mountains at Bent's Fort. From thence with the cavalry companies under the Lieutenant-Colonel, crossed the Raton Mountains on the 10th of March, 1848, and descended the Canadian through the country of the Apache and Comanche Indians during March, April, and May, to the Antelope Buttes, being engaged in skirmishing warfare with the Comanche and Pawnee Indians on the Middle Arkansas and Kansas until the expiration of the term of service by the peace with Mexico.

The marches have exceeded 3,000 miles in the aggregate, mostly being in the depth of winter.

Roll signed: Caleb S. Tuttle, Captain.

Company mustered for discharge at Independence, Mo., September 30, 1848, and honorably discharged (except Lieut. Colston) by E. A. Hitchcock, B. Col., U. S. A., Mustering Officer.

The Caravans

The town of Franklin, in Howard County, Missouri, was opposite the present City of Boonville. In 1828, the entire site of the town was washed into the Missouri River. It was the cradle of the Santa Fe trade, and for some years it was the eastern terminus of the Santa Fe Trail. As population spread to the westward other towns were established along the Missouri River and the headquarters of the trade followed the population. When the Trail was surveyed, in 1825, Fort Osage, on the Missouri, at Sibley, was made the starting-point. Independence, Missouri, was laid out in 1827, and it was soon the headquarters of the Santa Fe trade. Other Missouri towns engaged in the Santa Fe trade, and even the towns of Northwest Arkansas. All these towns opened roads to the Santa Fe Trail. That is why old roads as far south as Fayetteville, Arkansas, are known locally to this day as the Santa Fe Trail. The roads all entered the real Santa Fe Trail

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east of Council Grove, and most of them came into it east of the present town of Baldwin, in Douglas County, Kansas. One of these trails, known locally as the California Road came out of Southwest Missouri and Northwest Arkansas through the present Fort Scott, Kansas. It passed through what are now Miami and Franklin Counties, Kansas, crossing the Pottawatomie at the present town of Lane. That was Dutch Henry's Crossing, where John Brown and his men slew the Border-Ruffians in the old border wars. This main California Road had other and lesser "California Roads" coming into it. This statement of the different "Santa Fe Trails" and "California Roads" is intended to explain the confusion which often resulted when strangers passed over the country, in early days. In their letters the Santa Fe Trail may be spoken of as having been in Southwest Missouri, or even as leaving Fort Smith. In such instances it is always the local road of that name which was meant.

The business of outfitting traders made Independence a thriving town. There were dealers in wagons, flour, bacon, oxen, mules, guns, ammunition, ropes, chains and all kinds of hardware, and of the groceries of those days, including whiskey. In the spring when the caravans were getting under way the town presented a busy appearance; and there was almost as stirring times, when, after having completed the tour of the Plains, they drove into the great public square upon their return.

The supplies for one person from Independence to Santa Fe consisted usually of fifty pounds of flour, fifty pounds of bacon, ten pounds of coffee, twenty pounds of sugar, some beans, and some salt. Each man carried a gun, usually a Hawkins rifle, made at St. Louis, and a supply of powder and lead.

The wagons first used in the Santa Fe trade were such as could be obtained at the local towns in Missouri. Some of them were made, no doubt, by local mechanics. As the trade assumed volume the necessity for uniform and strong wagons attracted the attention of manufacturers. Those in use when the trade was at full tide, and even after, were made at Pittsburg, Pa. The pioneer wagon first used had the high curved bed, but those used later had but a slightly curved bed,—only enough to hold the bales and boxes from sliding in going up or down hills or grades. All the wagons had covers of heavy cloth stretched upon bows fixed over the wagon-beds. The device for locking or "putting on brakes" in descending steep places consisted of a chain attached to each side of the bed with which to "chain" or "lock" the hind-wheels. There was a multiplicity of chains used about the equipment of these wagons, the rattling and clanking of which could be heard at considerable distance.

In the beginning of the trade the merchandise was carried on pack-horses. The first wagons used were drawn by mules. After the escort of 1829, when Major Riley used oxen to draw his baggage wagons, oxen came to be used as much as mules. They drew heavier loads, but did not bear the trip so well after the country of the buffalo grass was reached. The continual traveling of the oxen over a grass-covered country wore their hoofs smooth and tender, making it difficult for them to travel in the lat-

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ter stages of the journey. In that day few knew how to properly shoe oxen with iron, and they were sometimes shod with raw buffalo-skin—often an excellent makeshift.

As the trade was conducted through the Indian country, and, from the Arkansas River, through a foreign country as well, it was necessary for the wagons to form a single body or caravan. This organization was effected at the Council Grove, now the town of Council Grove, Kansas. Any early arrivals there awaited the coming of the others. The time was spent in resting and grazing the animals, in the final overhauling of the lading, in the repair of harness, yokes, and wagons, and cutting and preparing timbers to be used in case a breakdown should occur on the road beyond. For there was no substantial timber to be had after passing that point.

When the traders had all arrived at Council Grove a meeting was held for the purpose of effecting a quasi-military organization for the remainder of the journey to Santa Fe. There was elected a Captain of the Caravan, whose duty it was to direct the order of travel and select the camping-places. The caravan was separated into divisions, the number depending on its size. For each division a lieutenant was selected. His duties were to ride in advance and inspect the road and the crossings, to look out for bad points on the trail and give notice of the same, and to superintend the forming of the encampments at night. The encampment was formed by parking the wagons and making an enclosure. The first wagon was halted at an angle. The second wagon was driven by it to the same angle, halting with its "near" hind wheel against the "off" front-wheel of the first wagon. This process was continued until the enclosure was completed. It was sometimes in the form of a square—one division to each side if the caravan was composed of four divisions. But it was as often in a circle or an oval. The wheels were frequently chained and locked solidly together. Thus was constructed a sort of temporary fort or stockade. In case of attack it afforded a defense, and the animals were sometimes driven into it. The encampment was made where wood and water were to be had, if possible,—and where the grass was sufficient for the animals of the caravan. Guards were always set at night, and every man was expected to take his turn at guard-duty. Sometimes a second lieutenant was elected for each division, as well as a chaplain, and court, composed of three members, for the caravan.

The teamsters, or drivers, became expert in their duties. The wagons were usually drawn by eight mules or the same number of oxen—four spans of mules, or four yoke of oxen. The driver of a mule-team rode the "near" wheel mule—that is, the mule on the left-hand side of the span hitched next to the wheels of the wagons. He carried a heavy leather whip with a short flexible handle, and he held in his hands lines for the guidance of the spans of mules hitched ahead of him. The driver of an ox-team walked on the left-hand side of his team. He did not use lines to guide his oxen, but depended on his commands, delivered in a loud voice, and reinforced by a long plaited leather whip having a handle or staff of such length as he might choose, usually a little better than four

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feet. This staff was made of second-growth hickory, tough and flexible, tapering from a heavy butt to the diameter of half an inch at the end where the whip was attached. This whip was always pointed with a buckskin "cracker" fifteen inches in length. It was a cruel implement, but the good driver rarely struck an ox with the full force of it. In the hands of an expert it would lay open the side of an ox for several inches at each stroke. Many teamsters boasted of having driven to Santa Fe and return without "cutting the blood" from any ox on his team. The ox is an intelligent animal, and he soon knew whether he or the teamster was to be master. If he had a poor driver he would "lag in the yoke" and not pull his part of the load unless closely watched and sometimes punished. On the other hand, if he recognized in his driver a master, he "pulled up in the yoke" and did his part. The Americans always yoked their oxen by attaching the yoke by a bow around the neck. This method enabled the ox to throw his whole weight and all his strength against the yoke pulling his load instead of having to push it when the yoke was bound upon his horns, as was the Spanish and Mexican custom.

The whip used for driving oxen in America has not been entirely neglected in literature. In that masterpiece of Ingalls—Blue Grass—there is a crucifixion of the Border-Ruffians of Missouri, the redemption of whose country he submits a plan for:

Seed the country down to blue grass and the reformation would begin. Such a change must be gradual. One generation would not witness it, but three would see it accomplished. The first symptom would be an undefined uneasiness along the creeks, in the rotten eruption of cottonwood hovels near the grist mill and the blacksmith's shop at the fork of the roads, followed by a "toting" of plunder into the "bow-dark" wagon and an exodus for "outwest." A sore-back mule geared to a spavined sorrel, or a dwarfish yoke of stunted steers, drag the creaking wain along the muddy roads, accelerated by the long-drawn "Whoo-hoop-a-Haw-aw-aw" of "Dad" in butternut-colored homespun, as he walks beside, cracking a black-snake with a detonation like a Derringer.

Gregg compiled a table showing the extent of the Santa Fe trade for a number of years. It is the best authority on the subject and is appended:

Years.	Amt. Mdse.	W'gs.	Men.	Pros.	T'n to Cha'	Remarks.
1822	15,000	...	70	60	9,000	Pack-animals only used.
1823	12,000	...	50	30	3,000	Pack-animals only used.
1824	35,000	26	100	80	3,000	Pack-animals and wagons.
1825	65,000	37	130	90	5,000	Pack-animals and wagons.
1826	90,000	60	100	70	7,000	Wagons only henceforth.
1827	85,000	55	90	50	8,000	
1828	150,000	100	200	80	20,000	3 men killed, being the first.
1829	60,000	30	50	20	5,000	1st U. S. Es.—1 trader killed.
1830	120,000	70	140	60	20,000	First oxen used by traders.
1831	250,000	130	320	80	80,000	Two men killed.
1832	140,000	70	150	40	50,000	Party defeated on Canadian.
1833	180,000	105	185	60	80,000	2 men killed, 3 perished.
1834	150,000	80	160	50	70,000	2nd U. S. Escort.
1835	140,000	75	140	40	70,000	
1836	130,000	70	135	35	50,000	
1837	150,000	80	160	35	60,000	
1838	90,000	50	100	20	80,000	
1839	250,000	130	250	40	100,000	Arkansas Expedition.
1840	50,000	30	60	5	10,000	Chihuahua Expedition.
1841	150,000	60	100	12	80,000	Texan Santa Fe Expedition.
1842	160,000	70	120	15	90,000	
1843	450,000	230	320	30	300,000	3d U. S. Es.—Ports closed.

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Bent's Fort

One of the most important stations on the Santa Fe Trail, as originally located, was Bent's Fort. It was situated on the Arkansas River in what is now Bent County, Colorado. It is deemed necessary to give some account of it because of the fact that it was the largest post on the trail and exerted a considerable influence on the trade of the Plains. In some form and in different locations it persisted until a very late day.

Silas Bent was born in Massachusetts, in 1744, and it is said that he was one of the party who threw the British tea into Boston harbor. He married Mary Carter, by whom he had seven children, the eldest being Silas. This son was born in 1768, and in 1788 he went to Ohio, where he practiced law and held various offices. In 1806 he was appointed by Albert Gallatin a deputy surveyor of Upper Louisiana, and moved to St. Louis. He held numerous offices there and died in 1827. By his intermarriage with a Virginia lady, Martha Kerr, he had eleven children, —Charles, Julia Ann, John, Lucy, Dorcas, William, Mary, George, Robert, Edward and Silas. Charles was appointed Governor of New Mexico by General Kearny. The Bent brothers were engaged in the fur trade, those best known in that connection being William and Charles. Associated with them was Ceran St. Vrain, of Canadian-French extraction; the firm was at one time known as Bent, St. Vrain & Co. They built a fort on the Arkansas River above the present city of Pueblo, at the mouth of Fountain Creek, in 1826. This proved a poor location, and in 1828 they abandoned the place and went down the river, and in 1829 completed Fort William, so called for William Bent. This fort was long known as Bent's Fort, and in later years was spoken of as Bent's "old" fort. It was one of the most important posts in the West, being situated at the point of the Santa Fe Trail where the travel north and south from the Platte country to Santa Fe crossed it. The walls were of adobe, six feet thick at the base and four feet at the top; the floor was of clay, and the roofs of the covered portions were of clay and gravel supported on poles. At the northwest and southwest corners were round towers thirty feet high and ten feet clear on the inside, and loopholed for artillery and musketry. The entrance was on the east, and was closed by a heavy gate of wood. Inside the fort were two divisions—one for offices, living-rooms, and store-rooms; the other for yards for wagons, stock, etc. The dimensions of the fort were about as given by Hughes, though other authorities vary from these figures slightly. In 1852 William Bent destroyed the fort, burning the combustible portions and blowing up the walls with gunpowder. In 1853 he built Bent's "new" fort, about thirty-five miles lower down the Arkansas and on the same (north) side. It seems that he had long contemplated this removal, as the following quotation from the work of Emory will show:

About 35 miles before reaching Bent's Fort is found what is called the "big timber." Here the valley of the river widens, and the banks on either side fall towards it in gentle slopes. The "big timber" is a thinly scattered growth of large cottonwoods not more than three-quarters of a mile wide and three or four miles long. It is here the

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Cheyennes, Araphoes, and the Kioways sometimes winter, to avail themselves of the scanty supply of wood for fuel, and to let their animals browse on the twigs and bark of the cottonwood. The buffaloes are sometimes driven by the severity of the winter which is here intense for the latitude, to the same place to feed upon the cottonwood. To this point, which has been indicated to the Government as a suitable one for a military post, Mr. Bent thinks of moving his establishment.

Bent transacted business at the new location until 1859, when the fort was leased to the Government. In the winter of 1859-60 Bent moved up to the mouth of the Purgatoire. The name of the fort was changed to Fort Wise in 1860, and in 1861 again changed, this time to Fort Lyon, in honor of General Nathaniel Lyon, the hero of Wilson Creek. Because of the encroachments of the river on its walls the fort was moved twenty miles lower down the river in 1866, but it served as a stage station for some years longer.

Francis Parkman arrived at Bent's Fort shortly after the "Army of the West" had passed, and thus describes it:

Bent's Fort stands on the river, about seventy-five miles below Pueblo. At noon of the third day we arrived within three or four miles of it, pitched our tent under a tree, hung our looking-glasses against its trunk, and having made our primitive toilet, rode towards the fort. We soon came in sight of it, for it is visible for a considerable distance, standing with its high clay walls in the midst of the scorching plains. It seemed as if a swarm of locusts had invaded the country. The grass for miles around was cropped close by the horses of General Kearny's soldiery. When we came to the fort we found that not only had the horses eaten up in the grass, but their owners had made way with the stores of the little trading-post, so that we had great difficulty in procuring the few articles which we required for our homeward journey. The army was gone, the life and bustle passed away, and the fort was a scene of dull and lazy tranquillity. A few invalid officers and soldiers sauntered about the area, which was oppressively hot; for the glaring sun was reflected down upon it from the high white walls around.—Oregon Trail, pp. 306, 307.

William Bent was married to a Cheyenne woman.

AUTHORITIES

The supreme authority on the Santa Fe Trail and the trade developed over it is *The Commerce of the Prairies*, by Dr. Josiah Gregg. It is the foundation of every work on the subject since its appearance. It was published in 1844 in New York, and London. Dr. Gregg was born in Overton County, Tennessee, July 19, 1806. His father moved to Missouri in time to have his family interned in the blockhouse in Boone's Lick settlement in the war of 1812. After that war he settled in Jackson County, Missouri, just north of Independence, where he grew up, as he says, "on the frontier." He was far above the ordinary in intelligence. He graduated from the Philadelphia Medical College, and was a successful physician until his health failed. Then he took to the Plains, making eight trips from Independence to Santa Fe and beyond—sometimes to Chihuahua. For a biographical sketch of Dr. Gregg, see pages 162 *et seq* Connelley's *Doniphan's Expedition*.

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The American Fur Trade of the Far West, by H. M. Chittenden, New York, Francis P. Harper, 1902. This work has much concerning the Santa Fe Trail.

Doniphan's Expedition, by John T. Hughes, is a work which has much about the Santa Fe Trail. The edition edited by Connelley contains many valuable notes, portraits, and biographies.

There are many documents, clippings, minor works, and articles on the Santa Fe Trail in the Library of the Kansas State Historical Society.

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CHAPTER IX

THE OREGON TRAIL

The origin of the Oregon Trail was exactly the same as that of the Santa Fe Trail. It was the most direct route from the mouth of the Kansas River to the Northwest, which when taken to apply to a region beyond the present Kansas, embraces all the country to the Pacific Ocean, above the State of California. From the mouth of the Kansas River, the route which came to be known as the Oregon Trail was the shortest road to the Platte Valley. The Kansas River does not rise in the Rocky Mountains, the Platte on the north and the Arkansas on the south interlocking in those elevations beyond the head waters of the Kansas. As the Kansas River led to no gaps, passes nor depressions in the great mountain chain, it was not followed to its source by traders, trappers or explorers until its sister rivers had been some years freely traversed. But both the Santa Fe and Oregon trails began in the vicinity of the mouth of the Kansas, and both followed up that stream in their first stages. It was nature, the conformation of the physical features of the Great Plains and Rocky Mountain region, which made this necessary. Up the Kansas and its northern tributaries was the shortest routes to the great Platte Valley from the Big Bend of the Missouri, at the mouth of the Kansas, just as up this stream and its southern tributaries led most quickly to the valley of the Arkansas. And both the Platte and the Arkansas led up to passes in the Rocky Mountains. These physical features gave Kansas the first reaches of the two great trails from the Missouri to the Pacific Ocean.

The first paths from the mouth of the Kansas River into the Platte Valley were made by the wild denizens of those regions before the appearance of even the Indian. These paths were not continuous the whole distance, but led from valley to valley at many places. When savage man had dispersed himself over the land the most direct of the old animal roads were unconsciously connected and identified as paths from village to village, from tribe to tribe. So were the foundations of the Oregon Trail laid in savagery in the early history of human progress.

When the white man came into these western wilds he, of necessity, followed in the ways of the savage predecessors. And when the white man first came into these Plains and the Mountains beyond no one can now tell. In the subjection of every wilderness there is a preliminary period of individual and largely irresponsible exploration of which no record is ever made. Frenchmen, individuals, and in small parties, wandered, traveled, hunted, traded—all in a petty and insignificant man-

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ner—long before the despatch from any settlement or fort of authorized expeditions. They were long previous to Bourgmont or Du Tisne or Pike or Long. Pike notes their presence at the village of the Republican Pawnees. And so, the pioneer white men to thread the mazes of the Plains by the primitive paths which became the Oregon Trail, are swallowed up in obscurity—never to be known.

The love of property has long been the dominating motive and ruling passion of mankind. It is now the instinct of the individual and the policy of the nation to trade. And the development of trade with the savage inhabitants was the motive of the first excursions into the wilderness of the West of which accounts have been preserved. These excursions assumed sufficient proportions to attract public attention immediately after the return of Lewis and Clark from their famous exploration. St. Louis was the head and center of all commercial enterprise for the Missouri River region of that time. Manuel Lisa organized an expedition in 1807 to fix trading stations about the head waters of the Missouri. On his way up that river on this purpose he met John Colter, one of the expedition of Lewis and Clark. That intrepid backwoodsman was induced to enter Lisa's service and return to the mountains as guide to the party. He led Lisa up the Yellowstone to the mouth of the Bighorn River, where the first trading-post of his venture was established. This point was in the country of the Crows, and the fixing of the post there angered the Blackfeet—a matter which troubled the traders and trappers much thereafter.

In the same year a party was organized at St. Louis for the purpose of escorting the Mandan chief Shahaka back to his village on the Missouri. He had come down with Lewis and Clark under promise that he should be seen safely home again. The party was so fiercely assailed by the tribes of the Upper Missouri that it failed to reach the Mandan villages, and it returned to St. Louis.

Lisa was the only man of prominence who engaged in the fur trade of that period. In 1808 he returned from the founding of his post at the mouth of the Bighorn. In the winter of 1808-9, he organized the Missouri Fur Company. He ascended the Missouri in the spring of 1809 and transferred his post at the mouth of the Bighorn to the Company, returning that year. He made another journey to the same point in 1810. In 1811 he again visited his post on the Yellowstone, arriving at St. Louis on his return in October. He had established trading relations with other tribes in the mountains, and during the winter of 1811-12 he reorganized his company. He visited his trading-houses in the summer of 1812, but did not return to St. Louis that year. On this expedition he established Fort Lisa, in the Omaha Nation, and formed a connection with that tribe which gave him its trade. He returned to St. Louis in June, 1813. The war of 1812 made it dangerous and unprofitable to trade with the savage tribes of the Upper Missouri. In 1814 Lisa was given the post of sub-Agent to the Missouri River Indians above the Kansas River. In this work he spent a year at Fort Lisa, which was about fifteen miles above the present town of Omaha, on the west bank of the Missouri, and three miles above

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the mouth of the Boyer River. From this point, in the summer of 1815, he led forty-three chiefs and head men of the tribes of the Upper Missouri to St. Louis to make treaties with the United States. His influence brought them to the side of the Americans and prevented them from joining the British. Lisa continued in this trade until his death, which occurred in St. Louis in August, 1820. The Chouteaus had been associated with him in his transaction on the Upper Missouri. They were members of the Missouri Fur Company together, this company succeeding

GEN. HENRY LEAVENWORTH

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

Lisa, Menard and Morrison by purchase. The company was reorganized in 1819 and continued in business some years. None of its transaction had specially to do with the country which became Kansas. But this brief outline of its business was compiled in the belief that an account of the establishment of the fur trade on the Missouri was necessary here. There were other traders on the Upper Missouri during the time that Lisa and his associates were trading there. Crooks and McLellan were the partners of one company. They later became partners of John J. Astor in his Pacific Fur Company, a branch of the American Fur Company. The

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Astorians organized an overland expedition from St. Louis in 1811. It did not follow the Oregon Trail, as it was then the custom to follow up the Missouri River. Communications overland could not be maintained over the route, and this was one of the serious disadvantages of the Astoria enterprise. It was reserved for later fur traders to begin the use of those primitive roads which later became the Oregon Trail—the natural route—the Imperial Highway.

The Rocky Mountain Fur Company was organized by William H. Ashley at St. Louis in 1822. In 1823 Ashley followed his partner, Andrew Henry, who had taken out the first expedition in 1822. Both these parties followed the Missouri River. Ashley was attacked at the Aricara towns and driven down the river. But the two divisions of the company were finally united. At the close of the campaign of Colonel Leavenworth against the Aricaras Henry was sent on to the post at the mouth of the Yellowstone. He believed that point unfavorable for his business, and resolved to seek a location higher up on that stream. Having secured a supply of horses from the Crows, Henry sent a party under Etienne Provost to hunt in a southwest direction. While there is no record to that effect, there is every reason to believe that Provost led his party through South Pass—the first white men to cross the Continental Divide there. But as set down before in these pages, lone trappers or insignificant parties of them likely went through this pass many years before the expedition of Provost. Some tradition of it may have lingered in the rude cabins of the *coureurs du bois* to lead this French captain in that direction. And whether Provost did, in fact, discover the Pass in the fall of 1823, it became certainly known in 1824. Hunt and Crooks traversed that part of the Oregon Trail from the Portneuf to the mouth of Columbia in 1811-13 in command of the overland Astorian expedition. The Astorian leaders passed over some parts of the trail east of Portneuf on their journey back to the Missouri. In the expeditions of General Ashley in the management of his business of the Rocky Mountains he seems never to have passed over that part of the Oregon Trail later to be included in Kansas. He kept to the Missouri and the Platte. At just what time the trapper caravans began to reach the Platte Valley by way of the Kansas River there is no record to tell. Fort Leavenworth was established as a Cantonment in 1827.[1] After that date any party traveling

[1] Gen. Henry Leavenworth was born in Connecticut in the closing year of the revolutionary war, 1783. While a boy he moved to Delaware county, N. Y., where he grew to manhood and secured such an education as the schools of that new country were able to afford. He afterward took up the study of law in the office of Gen. Root, of Delhi, and formed a partnership with his preceptor after his admission to the bar. He soon acquired a high standing in the legal profession and great popularity throughout Delaware county.

When the second war with Great Britain was declared in 1812 he helped raise a company and was elected its captain. This was the be-

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to the northwest would be likely to start from the fort and follow the route of the Oregon Trail, later much used from that point. Perhaps Jedediah S. Smith came in over this part of the trail in 1831, upon his return from the mountains. A letter written by him on this journey is still extant, being in the library of the Kansas State Historical Society. It is dated—"Blue Earth Fork of Kansas, 30 miles from the Ponnee Village, Sept. 10, 1830." The courier to whom this letter was entrusted was overtaken, and Smith added the following postscript: "P. S. Having overtaken this letter, the 22d of Sept., at the Kansas Fairry, 30 miles from camp Leavenworth, or rather Cantonment Leavenworth; I add we are thus far safe. J. S. S."

Smith had evidently gone to Fort Leavenworth from the head waters of the Big Blue. It would not have required twelve days to have passed over that distance, so he must have stopped at the fort. The ferry on the Kansas River, where he came up with the messenger to whom he entrusted his letter, was at the trading-house of Cyprian Chouteau, which stood on the south bank of the Kansas River.

Late in October, 1824, General Ashley set out from St. Louis with a party to ascend the Missouri. It seems that this was an overland expedition. James P. Beckwourth was a member of it—his initial trip to the mountains. He says: "We started on the 11th of October with horses and pack-mules. Nothing of interest occurred until we approached the Kansas village, when we came to a halt and encamped." The site of this village would be difficult to determine now, perhaps. It may have been the Kansas town at the mouth of the Big Blue, though it is scarcely prob-

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ginning of his military career. His company was assigned to the 9th regiment of infantry and attached to the brigade commanded by Gen. Winfield Scott. He was active in the campaign in northern New York during his first year of service and was promoted to the rank of major. He was in the campaign for the invasion of Canada from the Niagara frontier, and was in the battle of Chippewa. He was breveted a lieutenant colonel for gallantry on this occasion. He afterward took part in the battle of Lundy's Lane, and so distinguished himself that he was breveted a colonel.

After the close of the war Col. Leavenworth took up his residence at Delhi again and was elected to represent Delaware county in the legislature. He was soon after offered a majorship in the regular army and was stationed at Sackett's Harbor. He was promoted to lieutenant colonel and assigned to the old 5th infantry in 1818.

He joined the regiment at Detroit and was soon afterward detailed to command an expedition into the great Northwest. After much active service among the Indians he established a post, now Fort Snelling, near St. Anthony Falls.

When the army was reduced in 1821, Col. Leavenworth was transferred to the 6th infantry and placed in command of troops around Council Bluffs and other Iowa points. He was in command of the expedition against the hostile Arickaree Indians in August, 1821, and defeated them in a running fight lasting four days. For distinguished service in this campaign Col. Leavenworth came in for high commendation in the report of Gen. Gaines, and was especially mentioned in both the annual reports of President Monroe and Secretary of War Calhoun.

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able that Ashley would take a route so far west in ascending the Missouri. Wyeth found the main Kansas village at a point where North Topeka was laid out, and his second journey was in 1834. Frederick Chouteau said the Fool Chief had his village there in 1830. Some part of the Upper village must have removed to the Topeka site as early as 1824, the time of Ashley's expedition. The language of Beckwourth can mean nothing else than that when considered in connection with other facts already established.

At the Kansas town it developed that more horses would be required. It is possible that a change of plan was matured there, for General Ashley seems to have changed his course, striking for the Missouri, possibly going along the Indian trail which came out on that stream at the present town of Atchison. Beckwourth and Moses Harris were dispatched to the Republican Pawnee town on the Republican to buy horses. They found the village deserted, and their journey was fruitless. No food was found at the Republican town, and Beckwourth and his companion set out for the Big Nemeha River, which they reached in a famished condition. From the head waters of that river they went to the trading-house of Ely and Curtis, on the Missouri, near the mouth of the Kansas in what is now Kansas City, Kansas. On the journey down the Missouri Beckwourth was employed by G. Chouteau, as he says, to pack furs during the winter, thus abandoning the intention to reach the mountains that year. This Chouteau establishment must have been the same we found under control of Cyprian Chouteau in 1830.

This incident of Beckwourth is mentioned to show that that route afterwards so much traveled by the way of the Santa Fe Trail, Topeka,

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Col. Leavenworth was the originator of the plan to establish schools of instruction for officers and soldiers of the regular army. The idea of military schools, something after the method of the infantry and cavalry school at Fort Leavenworth, was strenuously advocated by him. In this connection it would seem fitting and proper that his body should be buried at the post named in his honor and where a great war college would be located.

After considerable correspondence Col. Leavenworth, in conjunction with Gen. Atkinson, was delegated in March, 1826, to select a site for an army school on the west bank of the Mississippi river within twenty miles of its junction with the Missouri. Col. Leavenworth finally picked out as a suitable place the grounds where Jefferson barracks, near St. Louis, is now located. He started in with a detachment of his regiment to erect a large post and military school buildings. He received very little encouragement in the way of appropriations or aid from Washington. Before the school was fairly well started, Col. Leavenworth was ordered to transfer his troops to points on the upper Mississippi, and the military school plan died and was not revived in a practical manner again until more than fifty years afterward, when Gen. Sherman established the Fort Leavenworth infantry and cavalry school.

In March, 1827, Col. Leavenworth received orders to take four companies of infantry and to ascend the Missouri river, and upon reaching a point within twenty miles of the mouth of the Platte river to establish a cantonment. A permanent cantonment was to be located on the left bank. Col. Leavenworth first picked a site near the mouth of the Little

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and the Big Blue River was well known and perhaps much traveled by experienced hunters and trappers very early in the nineteenth century—at least as early as 1824. Beckwourth evidently passed over much of it in company with Harris, an old-time trapper, in that year.

In 1832, Nathaniel J. Wyeth took his first expedition overland. It passed up the Kansas River, and it almost certainly crossed the Kansas River at the site of the future Topeka. The route it followed was more along the courses of the Kansas and the Big Blue than that later used.

Captain Bonneville's expedition was one of the famed journeys into the Western wilderness. It was organized and carried out with military order and exactness. It was the first to depend on wagons and abandon reliance on pack-horses. It started from St. Louis in the spring 1832. Captain Bonneville left Fort Osage, now Sibley, Jackson County, Mo., early in May. On the 6th of that month he passed the "last border habitation," and on the 12th he reached the Kansas River, opposite the agency of the Kansas Indians. This agency had its origin in a treaty with that tribe made in 1825, by which the Government stipulated to initiate the Indians into the noble art of husbandry. Three hundred cattle, the same number of hogs, five hundred domestic fowls, three yoke of oxen, two carts, and necessary implements were to be furnished. A blacksmith was provided. In pursuance of the terms of this treaty an agency was established in 1827 on the north bank of the Kansas River about two and one-half miles south of the present Williamstown, in Jefferson County. It was about seven miles northwest of Lawrence. Major Daniel Morgan Boone was appointed farmer, and a brother of Governor William Clark, of Missouri, was made the agent. And it was to this point that Captain

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Platte, in the Missouri bottoms, opposite Fort Leavenworth. He explored the country and was soon convinced that the land on the east or Missouri side of the river would be flooded during high water, and that it was not advantageous for a permanent post. Without waiting for new orders, he crossed over to the Kansas side and picked the site for a cantonment where Fort Leavenworth is now located. The first camp on the site was pitched May 8, 1827, nearly seventy-five years ago, and it was named "Cantonment Leavenworth." Col. Leavenworth sent a clear and beautiful description of the land and advantages of the new cantonment to Washington, and it was approved by a formal order of the war department in September, 1827.

During the next two years many of the soldiers were taken sick and died of malarial fever, mainly for lack of proper medicines to treat the disease, and Cantonment Leavenworth was looked upon as an unhealthy place. In less than two years the garrison was ordered withdrawn to Jefferson barracks. This was in the spring of 1829, and the buildings deserted and were occupied by the Kickapoo Indians. The cantonment was taken possession of the second time in the fall of 1829, about six months after its abandonment, by a new battallion of troops commanded by Col. Leavenworth, in which Gen. Phillip St. George Cooke, afterwards a noted cavalry officer, but then a second lieutenant, was a member.

The name of the place was changed from Canton Leavenworth to Fort Leavenworth in general order No. 11, issued February 8, 1832. It was never abandoned as an army post since the time mentioned in

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Bonneville had come on the 12th of May, 1832. On the 13th he made rafts, upon which he crossed his wagons and all other effects over the Kansas River. He found Chief White Plume residing at the agency, and the visit and conversation with that primitive monarch was both interesting and enjoyable. From the agency Captain Bonneville passed over the future Oregon Trail to the Platte Valley and the Rocky Mountains. His wagons were the first to pass over the trail. The only previous wheeled vehicle was the cannon-carriage taken into the Salt Lake Valley by General Ashley in 1826.

There seems to be no definite record of expeditions in 1833 through Kansas over the ways to be known as the Oregon Trail, but that there were such expeditions there is no doubt whatever. Travel was increasing year by year, and there were certainly individuals and small parties of free trappers—those hunting for themselves and not for fur companies—ever on the trail to the Rocky Mountains.

In 1834 Nathaniel J. Wyeth made his second advent on the Great Plains. He was accompanied by John K. Townsend, who wrote an account of this, his greatest and most extensive venture in the fur business. He entered what is now Kansas on the first day of May, over the Santa Fe Trail. On the third he reached and traveled on the Oregon Trail. The crossing of the Kansas River, at the site later to become Topeka, was made on the fourth of May. The Kansas Indian town was found to occupy both sides of the river, and the ferry so long famous must have been already established in a thriving business, the goods, wagons, and men being taken over in a "long flat-bottomed boat." Frame houses

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1829, but came near being depopulated of both white men and Indians during a cholera epidemic in 1838. On this occasion a boat came up from St. Louis loaded with troops and settlers. Cholera broke out among them the night the boat tied up at Fort Leavenworth. Many of the passengers on the boat died and were hastily buried in the ground where the commanding officer's residence is located, and the new quarters for lieutenants is going up. The bones dug up recently in making foundations for the new quarters were those of cholera victims. Those of the passengers who did not die were marched into a camp in Salt Creek valley, and when the contagion broke out among the first soldiers in the garrison a panic set in, and practically every person at the fort left and camped in the woods until the ravages of the disease were spent.

While stationed at Fort Leavenworth in 1832 Col. Leavenworth was assigned to the command of the Southwestern frontier. He conducted a campaign against the Pawnee Indians, defeating and subduing them. The campaign was a long one, but it was conducted with such skill that he was promoted to be brigadier general as a reward. The news of this promotion did not reach Gen. Leavenworth before his death. He passed away after an illness of a few days while sick in a hospital wagon on Cross Timbers, near the falls of the Washita river, in the Indian Territory, July 29, 1834. He was in command of an expedition against a band of hostile Indians at the time he died. His body remained buried at this place for several months, when it was taken across the plains and finally sent to Delhi, N. Y., where it is now buried.—*Quoted from an old newspaper clipping.*

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were found in the Indian town, and a number of white men engaged in farming and cattle-raising are mentioned as living there. The expedition followed almost exactly the future Oregon Trail to the Platte Valley.

The party of Wyeth was immediately behind the large party of William Sublette, then going into the Rocky Mountains on the business of procuring furs.

In the summer of 1834 a Scotchman, Charles Augustus Murray, made a trip over the plains from Fort Leavenworth to the Pawnee villages. He arrived at Fort Leavenworth early in July from St. Louis. At the fort he met a large band of Pawnees and arranged to go back with them to their country.

Sa-ni-tsa-rish, chief of the Grand Pawnees, seems to have been the Indian most depended on for protection and direction. He started in company with the Pawnees on the 7th day of July, going by the way of the Great Nemeha. From that stream his savage company led him to the Big Blue, but to what point on this river can not be made out. It was probably about the present Beatrice, Nebraska. Thence the band struck across the prairies to the Republican, from which they led their guest to the Pawnee towns on the Platte. Several weeks were spent there, when he was escorted back to Fort Leavenworth by a more southern route. Murray did not travel directly over the Oregon Trail, but his tour indicated that the country between the Platte and the Kansas was being gone over in all directions in 1834. Murray wrote a bulky work in two volumes, entitled *Travels in North America,* describing his trip to the Great Plains with the Pawnees.

Fremont's Explorations

In the spring of 1842, Captain John C. Fremont made his first exploration of the Great Plains. He left Washington on the second of May and went to St. Louis. On the boat from St. Louis up the Missouri he met Kit Carson and engaged him as guide. Fremont organized his expedition at the trading-house of Cyprian Chouteau. Charles Preuss was his topographical engineer, or surveyor, and the youngest son of Senator Benton was a member of the party. The stores and baggage were carried in eight carts or wagons drawn by mules. The entire party numbered nearly forty persons. Fremont left the post of Chouteau on the 10th of June, going south some ten miles to the Santa Fe Trail. This trail led out to the parting of the ways, where the Road to Oregon began, near the present town of Gardner, in Johnson County, Kansas. Fremont reached the crossing of the Kansas River late on the 14th, finding the river swollen from recent rains. This was not the crossing at the point where Topeka was afterwards laid out, but at Uniontown, in the western line of Shawnee County. That crossing was a ford, having a rock bottom, and no ferry was then maintained there. The Chouteaus had long been in the Indian trade near that crossing, and they doubtless recommended it to Fremont. Fremont says he expected to find the river fordable. As it was running bank-full "with an angry current, yellow and turbid as the Missouri," he made his cattle and horses swim. He had a collapsible

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rubber boat designed for the survey of the Platte, and on this he carried over his carts and baggage. The last load was amid-stream when the boat was upset, but almost everything was rescued and saved. On the 15th the party moved up the Kansas about seven miles and camped in a fine prairie, where the wet baggage was spread to dry. On the 17th Fremont recorded in his Journal that a large body of emigrants bound for Oregon under Dr. White was about three weeks in advance of his expedition. There were sixty-four men and "sixteen or seventeen families," carrying their effects in heavy wagons.

Fremont followed up the valley of the Kansas River until the morning of the 19th of June. At the mouth of the Vermillion the old Kansas village was seen. It was a dead town. The Pawnees had attacked it in the spring of 1842, and the Kansas Indians had moved further down the river. On the 18th the river was in sight of the expedition, though from eight to twelve miles distant. The Vermillion of the Blue was crossed at ten o'clock on the 20th, and the camp for the night was made on the banks of the Big Blue River near the present Marysville. Antelope were seen running over the plains that day, and Carson killed a deer. About two o'clock on the afternoon of the twenty-first of June the fortieth parallel was crossed, and the expedition passed out of what was shortly to be Kansas.

This exploration of 1842 by Fremont seemed to fix very definitely in literature the course of the Oregon Trail through Kansas. There was a sort of notoriety or reputation attaching to the exploration of Fremont which it is hard to understand at this day. The South Pass had been discovered nearly twenty years when Fremont set out on his first expedition. Women had ridden horseback through it nearly ten years before, and just ten years previous to his passage through it Captain Bonneville had driven his park of wagons through it and far beyond it. Yet Fremont was later credited in the popular mind with having discovered the South Pass. This probably arose from the fact that his reports and maps were promptly published by the Government, and they carried the first definite information of the Oregon Trail to the people at large.

Fremont returned in the fall of 1842, descending the Platte. He began immediately to prepare for a second exploration, and this he accomplished, starting in the spring of 1843.

On the 17th of May, 1843, Fremont landed at Kansas, known also as Kansas Landing, and sometimes as Chouteau's Landing. It is now Kansas City, Missouri. He stopped at the residence of Major Richard W. Cummins, Indian Agent for the tribes of that region, and who lived then at the Landing. Before his plans were perfected he received a letter from his wife urging him to depart at once and complete his arrangements at Fort Bent. Pursuant to this message he set out on the 29th of May, taking with him a brass howitzer obtained from General S. W. Kearny at St. Louis. Thomas Fitzpatrick was employed as guide, and Kit Carson was found later on. It afterwards developed that Fremont had been summoned to Washington to explain why he was taking that brass cannon on a scientific expedition. Mrs. Fremont did not forward the notice of the summons, but sent her order for him to get under way at once.

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The men of the second expedition were Creoles, Canadian-French, and Americans, numbering all told thirty-nine men. They were armed with Hall's carbines and the twelve-pound howitzer which came so near stopping the exploration. William Gilpin joined the party on the 31st at Elm Grove, and he continued into Oregon. At Elm Grove were a number of emigrant wagons, among them that of J. B. Childs, of Jackson County, Missouri, who was in command of the emigrant party, which was bound for California. They were carrying furniture and household goods, farming implements, and the machinery for a mill designed to be erected in some branch of the Sacramento. The route taken was the Oregon Trail to the crossing of the Kansas River at Uniontown, where Fremont had crossed the previous year. Trains of emigrant wagons were always in sight of Fremont, and many were at the ford or crossing. Settlers were even then pouring over the Oregon Trail for the Pacific Coast.

Fremont did not cross the Kansas at the ford with the emigrant trains, but continued his way on the south side of the river to the junction of the Republican and the Smoky Hill. There he crossed his expedition over the Smoky Hill on a raft, and on the 11th of June set out up the Republican. This stream was followed approximately to its source, the expedition coming out on the South Platte on the 30th of June. It visited the Pacific Coast, and returned the following year, descending the Arkansas, crossing to the Smoky Hill, and then turning to the Santa Fe Trail, arriving at Kansas Landing July 31, 1844.

The third expedition of Fremont was organized on the frontier of Missouri, as he says, but no specific location is given. It was certainly near Kansas City. The details of the organization are indefinitely given. Some one had chosen twelve Delaware Indians to go with him, and these included Sagundai, who later carried back dispatches from California, and Swanok, who had destroyed the Republican Pawnee town. Fremont says that, as his expedition had for its object the exploration of the Rocky Mountains and the country beyond, no examination of the Great Plains country was made. Fog envelopes the movements of the party until its departure from Bent's Fort, on the 16th of August, 1845. It is not known that any part of the expedition passed over any portion of the Oregon Trail.

There was another Fremont expedition, in 1848. This went up the Smoky Hill.

In 1853, Fremont crossed the Great Plains for the last time. He followed his trail of 1843 closely, stopping a few days at Uniontown, or that vicinity. To Uniontown he had followed the Oregon Trail.

Captain Howard Stansbury

In 1849, Captain Howard Stansbury was sent out to make an exploration and survey of the Great Salt Lake. The initial point of his expedition was Fort Leavenworth. He left the fort on the 31st of May, 1849, with eighteen men, five wagons, and forty-six horses and mules. A Mr. Sackett joined the party. He had one wagon, one carriage, and fifteen "animals." There were five persons with Mr. Sackett, possibly his fam-

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ily. Lieutenant Gunnison being ill, was put on a bed in the spring wagon used to transport the instruments.

Captain Stansbury followed what he terms the Emigration Road, which was only that branch of the Oregon Trail, starting from Fort Leavenworth. He says of it—"already broad and well beaten as any turnpike in our country." And he further says:

The cholera had for a considerable time been raging on the Missouri; and as we passed up, fearful rumours of its prevalence and fatality among the emigrants on the route daily reached us from the plains. On the day we left Fort Leavenworth, one member of our little party was carried to the hospital in a state of collapse, where he died in twenty-four hours. The only officer attached to my command had been ill for several weeks, with severe attacks of intermittent fever, which now merged into chronic dysentery, and he was, in consequence, unable to sit on his horse, or to do duty of any kind. These were rather discouraging circumstances for an outset; but, at length, on the 31st day of May, our preparations being completed, we commenced our journey, my own party consisting in all of eighteen men, five wagons, and forty-six horses and mules; while that of Mr. Sackett, our fellow-traveller, contained six persons, one wagon, one travelling carriage, and fifteen animals. Lieutenant Gunnison, being too ill to travel in any other manner, was carried on his bed, in a large spring wagon, which had been procured for the transportation of the instruments. The weather, in the morning, had been dark and lowering, with occasional showers, but it cleared off about noon; the camp broke up; the wagons were packed, and we prepared to exchange, for a season, the comforts and refinements of civilized life, for the somewhat wild and roving habits of the hunter and savage. My party consisted principally of experienced voyageurs, who had spent the best part of their lives among the wilds of the Rocky Mountains, and to whom this manner of life had become endeared by old associations. We followed the "emigrant road" (already broad and well beaten as any turnpike in our country) over a rolling prairie, fringed on the south with trees. The hills consisted principally of carboniferous limestone, in apparently horizontal strata, which in places formed quite prominent escarpments. Our first day's journey was only six miles; but we were now fairly embarked, and things gradually assumed the appearance of order and regularity.

Although the route taken by the party had been travelled by thousands of people, both before and since we passed over it, I have thought that some brief extracts from the daily journals of the expedition might not be without interest, for, although nothing very new may perhaps be elicited, still it is not improbable that they will convey, to such as peruse them, a more correct idea of what the thousands have had to encounter who have braved this long journey in search either of a new home in Oregon, or of that more alluring object—the glittering treasure of California.

On the first of June Stansbury passed the train of a Mr. Allen. It had about twenty-five ox-teams, and was bound for California. Cholera had killed one of the party, and two more were down with it. Four men of the party had been frightened by the disease into returning to the settlements. On this day Stansbury first witnessed the formation of a camp corral, which he describes:

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In the course of the afternoon we passed the travelling-train of a Mr. Allen, consisting of about twenty-five ox-teams, bound for the land of gold. They had been on the spot several days, detained by sickness. One of the party had died but the day before of cholera, and two more were then down with the same disease. In the morning, early, we met four men from the same camp, returning on foot, with their effects on their backs, frightened at the danger and disgusted already with the trip. It was here that we first saw a train "corralled." The wagons were drawn up in the form of a circle and chained together, leaving a small opening at but one place, through which the cattle were driven into the enclosed space at night, and guarded. The arrangement is an excellent one, and rendered impossible what is called, in Western phrase, a "stampede," a mode of assault practised by Indians for the purpose of carrying off cattle or horses, in which, if possible, they set loose some of the animals, and so frighten the rest as to produce a general and confused flight of the whole. To a few determined men, wagons thus arranged form a breastwork exceedingly difficult to be carried by any force of undisciplined savages.

Captain Stansbury came, on the fifth of June, into the main Emigration Road through Kansas—the Oregon Trail. The point of union was at the place so well known on the waters of the Big Blue for the next twenty years. On the seventh of June a French trader from Fort Laramie was encountered. He reported that he met not fewer than four thousand wagons—four persons to the wagon—bound for California. They seemed to be getting on badly, having had no experience on the plains. Almost daily small parties were seen returning, having become discouraged or disgusted. Graves of emigrants who had recently died lined the way. Here is one case encountered on the twelfth of June. It serves to show the madness engendered by the California Gold-fever:

Tuesday, June 12—Bar., 28.64; Ther., 63°. Breakfast at four. In ten and a half miles crossed the west branch of Turkey Creek and halted to noon on the bank of Wyeth's Creek six miles beyond. The crossing here is bad and rocky, and the grass poor, having been eaten close by the trains which had preceded us. The afternoon was oppressively hot and close, the wind being from the eastward, with every appearance of rain. We have been in company with multitudes of emigrants the whole day. The road has been lined to a long extent with their wagons, whose white covers, glittering in the sunlight, resembled, at a distance, ships upon the ocean. We passed a company from Boston, consisting of seventy persons, one hundred and forty pack and riding mules, a number of riding horses, and a drove of cattle for beef. The expedition, as might be expected, and as is too generally the case, was badly conducted; the mules were overloaded, and the manner of securing and arranging the packs elicited many a sarcastic criticism from our party, most of whom were old and experienced mountain-men, with whom the making up of a pack and the loading of a mule amounted to a science. We passed also an old Dutchman, with an immense wagon drawn by six yoke of cattle, and loaded with household furniture. Behind, followed a covered cart containing the wife, driving herself, and a host of babies—the whole bound to the land of promise, of the distance to which, however, they seemed to have not the most remote idea. To the tail of the cart was attached a large chicken-coop, full of fowls; two milch-cows followed, and next came an old mare, upon the back of which was perched a little, brown-faced, barefooted girl, not more than seven years old,

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while a small sucking colt brought up the rear. We had occasion to see this old gentleman and his caravan frequently afterwards, as we passed and repassed each other, from time to time, on the road. The last we saw of him was on the Sweetwater, engaged in sawing his wagon into two parts, for the purpose of converting it into two carts, and in disposing of everything he could sell or give away, to lighten his load.

In after years the trail was strewn with furniture of every description, the bones of oxen, horses, mules, buffaloes and sometimes men. In their madness to get on the emigrants had cast away the effects they had hauled hundreds of miles. It was like the wreckage cast upon the shores of the wasting sea.

Peter H. Burnett

In 1843, Peter H. Burnett, living then in Clay County, Missouri, determined to move to Oregon. He was induced to do this by the Congressional report of Senator Appleton on that country. Senator Linn, of Missouri, had introduced into Congress a bill granting a settler six hundred and forty acres of land for himself and one hundred and sixty acres for each of his children. Under that act, should it pass, he would be entitled to sixteen hundred acres of land.

Dr. Whitman, the missionary, was then on the western border of Missouri. Burnett and others forming the company were in communication with him. On the 18th of May the emigrants held a meeting to perfect arrangements for the journey and to see Dr. Whitman. This meeting appointed a committee of seven to make an inspection of the wagons intended for the trip. A committee of five was selected to formulate rules for the journey. Dr. Whitman was also present at a meeting held on the 20th of May, when the rules were adopted. John Grant was hired to act as guide as far as Fort Hall. The rendezvous was about fifteen miles east of Elm Grove, which was reached on the 22d of May—the day of the starting. Two elm trees and some dogwood brush constituted the grove. The larger elm had been stripped of its branches for wood by previous caravans. The party crossed the Wakarusa on the 24th, letting the wagons down the steep banks by ropes. It is not known just where the Kansas River, reached on the 26th, was crossed, but it was probably at the Uniontown Ford, but possibly at the mouth of the Big Blue. It required until the 31st to complete the crossing for all the party. There were met Fathers De Smet and De Vos, coming from missionary labors among the Flathead Indians. The next day the organization of the company was completed by the election of Burnett as Captain and J. W. Nesmith as Orderly Sergeant; also the selection of a council of nine members. A war party of Kansas and Osage Indians was encountered on the 6th of June. This party had gone out against the Pawnees, and had taken one scalp, which was exhibited, showing the ears with the wampum still in them. The party followed up the Big Blue more closely than did later caravans, making

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its last encampment on that stream on the 17th—already beyond the boundary of what was to become Kansas.

Francis Parkman

In the Spring of 1846, Francis Parkman made a "tour of curiosity and amusement to the Rockey Mountains" by way of the Oregon Trail. It is much to be regretted that Mr. Parkman was not actuated by more serious motives, for the record he left of his tour, while always popular, has no great historical value. His party was formed at Westport, and on his way he passed the Shawnee Mission. There Parkman saw Joseph Parks, a Shawnee chief, and notes that this savage ruler had a trading establishment at Westport, conducted an extensive farm, and owned "a considerable number of slaves." The Kansas River was first seen at the Lower Delaware Crossing, where the party passed over it on rafts, after camping a night on the south bank. This was the crossing of the old Military Road from Fort Leavenworth to Fort Scott and Fort Gibson.

Parkman made a brief stop at Fort Leavenworth, and on the 23d of May set forth on the branch of the trail leading from that fort to Fort Laramie. No date is given to show when he reached the Big Blue River, but a detailed description of its crossing is set down. The book containing the account of the tour is very loosely and carelessly written. The date of May 23d is given as the time of leaving Fort Leavenworth, also as the time of coming into the "St. Joseph Trail"—something which never did exist—after having crossed the Big Blue.

Parkman's observations on the conditions along the Oregon Trail at that day are sometimes of value. He notes that Illinois and Missouri furnished by far the greater number of emigrants of that period. They were numerous, and some were bound for Oregon and some for California. At Independence, Missouri, they had heard that several parties of Mormons were about to start from St. Joseph. This caused uneasiness, for the people of both Missouri and Illinois were on bad terms with the Mormons. But these rumors proved to be unfounded.

Few particulars of the country and the Oregon Trail are given by Parkman, but many of his own experiences are recorded—in which the people of this day are little interested.

J. Q. Thornton

On the 18th of April, 1846, J. Q. Thornton and his wife left Quincy, Illinois, to go to Oregon. They went first to Independence, Missouri, the outfitting point. They purchased wagons and teams, and on the 12th of May left Independence over the Oregon Trail. On the 15th they came up with the party of Ex-Governor Boggs, of Missouri, and W. H. Russell, camped to await other expected companies of emigrants. Thornton and his wife were invited to attach themselves to this party, which they promptly did. The Boggs caravan consisted of sixty-

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three wagons. The whole company crossed the Wakarusa on the 15th. Others must have joined the party on that day, for an examination made that night revealed seventy-two wagons, one hundred and thirty men, sixty-five women, one hundred and twenty-five children, sixty-nine thousand pounds of breadstuff, forty thousand pounds of bacon, eleven hundred pounds of powder, twenty-six hundred pounds of lead, one hundred and fifty-five guns, one hundred and four pistols, and seven hundred and ten cattle. Some were bound for Oregon and some for California. The emigrants were moved by different motives. Some desired land in a new country. Some were fleeing debts incurred, some had been stripped by creditors, some were in pursuit of health, some were in search of adventure, and others knew not why they were on the road.

The ferry on the Kansas River was reached on the 17th of May. This was the Papan Ferry, at the present Topeka. The crossing was effected by six o'clock. Mrs. Thornton gave the ferryman's wife some tracts. Indians were numerous in what is now North Topeka, some bedecked in savage splendor, but most of them filthy and covered with vermin. On the 19th additions to the party were made, increasing the number of wagons to ninety-eight. Twin boys had been born to a Mrs. Hall on the night of the 18th. The camp was made on Soldier Creek on the 19th.

This emigrant caravan followed almost exactly the route of the Oregon Trail. The Big Blue River, called in the record the Great Blue-Earth River, was sighted on the 26th of May, and camp was made on its left bank. Rains had swollen the river so that no crossing could be safely attempted for a day or two. A boat called the "Blue River Rover" was built on the 28th. It was constructed by joining two cottonwood canoes twenty-five feet long, and proved an ample conveyance when the crossing was made on the 30th and 31st. On the 2d of June the party separated, those going to Oregon—twenty wagons—going on in advance. This division of the caravan occurred near the north line of Kansas beyond which point we can not follow the company.

The Mormons

The Mormons in their migration to the Great Salt-Lake country, passed over all the branches of the Oregon Trail. Their pilgrimage continued overland from 1847 to the opening of the Union Pacific Railroad—and even yet continues.

The Mormons avoided the real trails in the early days of their settlement in Utah. They established parallel trails, desiring to keep their own company, preserve their own secrets, and avoid the quarrels and troubles often arising when traveling with gentiles. When there were enormous trains, they kept sometimes to the main trails, for they could then protect themselves. They were also avoided by other emigrants, and were rarely associated with by gentiles on the road. The

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Mormon Trail up the Platte lay on the north side of the river. One route in Kansas followed the Santa Fe Trail to One-Hundred-and-Ten-mile Creek, when it turned northward directly to Fort Riley, crossing the Kansas River at Whiskey Point. From Fort Riley the trail led nearly north to the Oregon Trail in the Platte Valley, passing through the present counties of Riley and Washington, in Kansas. No other emigrants are known to have used this trail. Of the eastern branches of the Oregon Trail, the Mormons used most that beginning at St. Joseph, Missouri. Many Mormon trains started from Fort Leavenworth. One large train started from Westport on the 24th of August, 1852, and reached Salt Lake City on the 26th of October.

A peculiar feature of the Mormon migration was the establishment of temporary settlements to serve as stations on the route to the New Zion. So far as is certainly known but one such settlement of consequence was set up in Kansas. It was in Atchison County, just east of the village of Shannon. It was the intention of the church to send many saints by that station to Utah. The station was enclosed by trenches and stockades, and an extensive tract of land was planted to corn, potatoes, and other crops. The products were held for the migrating saints who should be sent that way. At this point cholera broke out in 1849, and many Mormons died of it. The early settlers of that country called the place Mormon Grove, and it is still so spoken of.

The Argonauts

The discovery of gold in California very nearly upset the world. No event of a like nature ever created such excitement. From every state parties and individuals set out for the gold fields on the other side of North America. Very nearly every man in Missouri who could do so started to California in 1849. Many of the companies were led by the men who had served under Colonel Doniphan in the War with Mexico. These gold hunters passed over all the branches of the Oregon Trail. Many thousands of them came up the branch which crossed at Topeka or Uniontown.

Major William Gilpin addressed one party of five thousand at the point where Lawrence was later founded. The branches from Leavenworth and St. Joseph were choked with the Forty-niners. They started from Council Bluffs and from Bellevue, now Nebraska City. Many "cut offs" were made by the Argonauts along all branches of the trail. Men were mad. Women and children were sometimes abandoned on the plains after being robbed of their property—of which one Forty-niner told the author of two instances. From the high land between Lodge Pole Creek and the North Platte this same Argonaut saw teams, often four abreast, as far as the eye could carry in both directions. He himself had started with a complete sawmill to be set up on the Sacramento, but was prevailed upon to sell it to the Government at Fort Kearny for four times as much as it had cost him together with expenses of transportation. He sold out against his judgment, and

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regretted to the day of his death that he had not taken it through, saying that it would have made his fortune in one season in the gold-fields.

No such movement of people as followed this gold discovery has occurred before or since in all history. California had population enough for a State before she could begin to realize what was the matter "back East." Men in the golden valleys sang "Joe Bowers" and "put in their biggest licks."

The emigration caused by the discovery of gold continued for several years. In a way it was duplicated in Kansas in 1858, when gold was discovered in the streams about Pike's Peak. "Pike's Peak or Bust" was the slogan. It developed that the gold there was insufficient in quantity, and the thousands who crowded the Oregon Trail on the journey outward choked that historic highway on their return with this inscription rudely lettered on their worn and weather-beaten wagon-covers: "Pike's Peak and Busted."

On the discovery of gold in California, Major Gilpin said in an address at Independence as follows:

On July 4th, 1849, speaking by their invitation to the California emigrants about to depart from the Missouri River I used this language:

Up to the year 1840, the progress whereby twenty-six States and four Territories have been established and peopled, has amounted to a solid strip, rescued from the wilderness, 24 miles in depth, added annually along the western face of the Union, from Canada to the Gulf of Mexico.

This occupation of wild territory, accumulating outward like the annual rings of our forest trees, proceeds with all the solemnity of a providential ordinance. It is at this moment sweeping onward to the Pacific with accelerated activity and force, like a deluge of men, rising unabatedly, and daily pushed onward by the hand of God.

Fronting the Union, on every side, is a vast army of pioneers. This active host, numbering 500,000, at least, has the movements and obeys the discipline of a perfectly organized military force. It is momentarily recruited by single individuals, by families; and in some instances by whole communities; from every village, county, city, and State of the Union, and by immigrants from other nations.

Each man in the moving throng is in force a platoon. He makes a farm on the outer edge of the settlements, which he occupies for a year. He then sells to the leading files pressing up to him from behind. He again advances 24 miles, renews his farm, is again overtaken and again sells. As individuals fall out from the front ranks, or fix themselves permanently, others rush from behind, pass to the front, and assail the wilderness in their turn.

Previous to the recently concluded war with Mexico, this energetic throng was engaged at one point in occupying the Peninsula of Florida and lands vacated by emigrant Indian tribes. At another point in reaching the copper region of Lake Superior; in absorbing Iowa and Wisconsin. From this very spot had gone forth a forlorn hope to occupy Oregon and California. Texas was thus annexed—the Indian country pressed upon its flanks, spy companies reconnoitered New and Old Mexico.

Even then, obeying the mysterious and inscrutable impulse which drives our nation to its goal, a body of the hardiest race that ever faced varied and unnumbered dangers and privations, embarked upon the

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trail to the Pacific coast. They forced their way to the end, encountering and defying difficulties unparalleled, with a courage and success the like to which the world has not heretofore seen.

Thus, then, overland sweeps this tidal wave of population, absorbing in its thundering march the glebe, the savages, and the wild beasts of the wilderness; scaling the mountains, and debouching down upon the seaboard. Upon the high Atlantic sea-coast, the pioneer force has thrown itself into ships, and found in the ocean fisheries food for its creative genius. The whaling fleet is the marine force of the pioneer army. These two forces, by land and by sea, have both worked steadily onward to the North Pacific.

They now re-unite in the harbors of California and Oregon, about to bring into existence upon the Pacific a commercial grandeur identical with that which has followed and gathered to them upon the Atlantic.

Hence have already come these new States; this other seaboard; and the renewed vivacity of progress with which the general heart now palpitates!

Will this cease or slacken? Has the pouring forth of the stream from Europe ever ceased since the day of Columbus? Has the grass obliterated the trails down the Alleghanies, or across the Mississippi? Rather let him who doubts seat himself upon the bank of the supreme Missouri River and await the running dry of its yellow waters! For sooner shall he see this, than a cessation in the crowd now flowing loose to the Western seaboard.

Gold is dug—lumber is manufactured—pastoral and arable agriculture grow apace—a marine flashes into existence—commerce resounds—the fisheries are prosecuted—vessels are built—steam pants through all the waters. Each interest stimulating all the rest, and perpetually creating novelties, a career is commenced, to which, as it glances across the Pacific, the human eye assigns no term!

Albert Sidney Johnston

Of the military expeditions over the Oregon Trail, only that of Albert Sidney Johnston will be mentioned in this work. After the establishment of Fort Laramie there were many military tours to the westward from Fort Leavenworth. In 1857 there was an uprising in Utah known as the Mormon Rebellion, and the United States sent out a military force to put it down. This force was commanded by Colonel Albert Sidney Johnston. Colonel E. V. Sumner had been assigned to this command, but the troubles in Kansas demanded that some officer be put in charge of the troops the Border-Ruffians hoped to have the Government use against the Free-State people of the Territory. Colonel Sumner was transferred to this latter service. It was then that Colonel Johnston, of the Second Cavalry, was ordered to take charge of the Army intended to establish order in Utah. The first detachment of troops consisting of eight companies of the Tenth Regiment, and all the Fifth Regiment—infantry—left Fort Leavenworth on the 18th of July, 1857, under the immediate command of Colonel E. B. Alexander. Later the two remaining companies of the Tenth were dispatched, under command of Colonel C. F. Smith. With these troops were the two batteries of Phelps and Reno. On the 16th of September six companies of the Second Dragoons, left Fort Leavenworth, commanded by Colonel Philip St. George

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Cooke. The following day Colonel Johnston started from Fort Leavenworth with his staff, and with forty dragoons as an escort. Colonel Johnston and staff traveled in a light spring-wagon. All this force went out over that branch of the Oregon Trail from Fort Leavenworth.

This expedition had been well provided with provision-trains and herds of cattle for beef. A Mr. Chiles of Independence, Missouri, had a contract to furnish eighteen hundred head of cattle at some point beyond Fort Bridger. William Clarke Quantrill, the guerrilla, was a herder with this bunch of cattle. He wintered in Utah, but news of the discovery of Gold at Pike's Peak took him to that region, from whence he returned to Kansas.

The movement of the army to suppress the Mormon uprising do not come under the history of Kansas, and only the fact that it went out over the Oregon Trail can be set down here. The command of this expedition was the last service Colonel Johnston rendered the United States. He became an officer in the Confederate Army, and was killed at Pittsburg Landing.

The Overland Mail

There were no established mail routes across the Great Plains until the Mormons settled in Utah and gold had been discovered in California. These events caused the two great settlements of Americans to be made west of the Rocky Mountains. The first was in the valley of the Great Salt Lake, and the second was on the Pacific Coast. There had been emigration to Oregon and California before either of the events referred to had occurred, but the settlers were not numerous enough to cause the establishment of a mail service to accommodate them. While the Mormons were hostile to the United States and had started to settle in the Salt Lake Valley when the country still belonged to Mexico, there were many among them who looked back to the United States as a mother-land. They desired news from home. And it was but a few months until the country to the Pacific Ocean fell to the United States by the fortunes of war, and the Mormons found themselves again citizens of the country they had foresworn. The settlement in California, the stupendous production of wealth there, the enterprises of the country projected on so enormous a scale, made it necessary to furnish means of communication with the Government at Washington and relatives and friends in every state. Ships did indeed bring mail around the cape and some soon found its way across the isthmus, but Americans exalted with more money than the world had ever known were not to remain content with so slow a process. It became necessary to found the Overland Mail.

The first contract for an overland mail service was made with Samuel H. Woodson, of Independence, Missouri. It was for a monthly service between that point and Great Salt Lake, and was called "The Great Salt Lake Mail." The contract was awarded in 1850, the service to begin July 1, 1850, and continue to June 30, 1854. The distance was

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more than eleven hundred miles, and the amount to be paid Woodson was $19,500 per annum. This mail was carried on horses and mules. In 1854, the contract was awarded to W. M. F. McGraw, of Maryland, for $13,500 per annum. Three mules were used in this service, each carrying a sack of mail and ridden by an agent fantastically garbed in fringed buckskin and other ornamental mountain attire. There was a line from Salt Lake City to San Francisco, and McGraw had helped to carry passengers overland at the rate of $180 to Salt Lake City and $300 to the California terminal. For some time he was not equipped for his passenger business. The Mormon War increased the volume of business and the mail was transported in wagons drawn by mules. As this was but a monthly mail it was found insufficient for the needs of the Government. In 1858 John M. Hockaday, of Missouri, was given a contract for a weekly mail over the same route for $190,000 per annum. The starting point was St. Joseph, Missouri. The Government paid a like sum for carrying the mail from Salt Lake City to San Francisco. The returns from this service amounted to very little, being only $5,412.03 for the first year. This contract was sold to the great freighting firm of Russell, Majors & Waddell in the year 1859.

The Government immediately prior to the Civil War was in the hands of the South. The great overland mail was directed and carried through Southern territory—from Memphis and St. Louis by Little Rock and El Paso to San Francisco. When the administration changed to loyal hands the mail was carried from St. Joseph, Missouri, to which point the Hannibal & St. Joseph Railroad had been completed. The Southern route was discontinued in March, 1861. This contract was soon annulled. It was decided to put on a daily mail from St. Joseph, by Salt Lake City to Placerville, California. As soon as the railroad reached Atchison, Kansas, that town was made the initial point of this route. From this time there were abundant mail facilities provided for the Western settlers. The overland stage was soon an established institution on the Oregon Trail, and the coaches always carried mail.

Overland Freighting

After the establishment of Fort Laramie, the Government was under the necessity of contracting for the transportation of freight to that point. Some of the first supplies were hauled by the Government, perhaps, but the practice of employing private parties to perform this service was always in favor. When Fort Kearny was erected supplies were hauled to that point. The freighters who first took contracts for transporting supplies over the Oregon Trail had mostly gained their experience in this overland business on the Santa Fe Trail.

In 1855 Alexander Majors and William H. Russell, both of Western Missouri, formed a partnership for freighting across the plains under the name of Majors & Russell. This firm carried all the freight to the posts west of Fort Leavenworth that year. Cholera prevailed on the plains, especially between Fort Leavenworth and Fort Riley. Major

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A. E. Ogden, Quartermaster at Fort Leavenworth, died at Fort Riley of the disease. Many emigrants died of this scourge, which followed all the trails over the plains. The cholera affected the freighting business, but Majors & Russell made profits amounting to three hundred thousand dollars in 1855 and 1856. This will serve as an index to the volume of the freighting done over the Oregon Trail in those years. For there were many other freighting firms in the business over the trail, transporting goods to Utah. The amount of hauling required by the Government was more than doubled by the Mormon War, though freighting to Utah for the Mormons was stopped for the time.

Majors & Russell added another partner in the spring of 1858, the style of the firm being then Russell, Majors & Waddell (the last name pronounced Wad'-dle, not Wad-dell'). The Government contracted with this company to transport sixteen million pounds of freight over the Oregon Trail for the years 1858 and 1859. To perform this enormous contract it was necessary for the company to purchase thirty-five hundred wagons and forty thousand oxen. This immense outfit was separated into caravans and pushed out constantly from Fort Leavenworth heavily laden. Floods hindered them early in the year 1858. The contract was faithfully performed. Many of the caravans got into the Salt Lake Valley too late to return to Fort Leavenworth. The wagons would not be required for the next year. They were parked on the outskirts of Salt Lake City, where they covered several acres of ground. They remained there more than a year, and were finally sold to the Mormons for ten dollars each, the purchasers breaking them up for the iron used in their construction. These wagons had cost the company more than one hundred and fifty dollars each. The oxen were driven into Skull Valley, where they wintered on the dried grass. Thirty-five hundred of the best ones were selected to be driven to California. They were driven to Ruby Valley, in what is now Nevada, to winter on the dried grass found there in plenty. A heavy snow, however, covered the grass until the cattle could not get to it. They starved and froze to death, only two hundred being saved. This loss footed up about one hundred and fifty thousand dollars. The Indians stampeded one thousand head of oxen on the Platte the same year. Notwithstanding these losses, the company made large profits on this contract.

These caravans of freighters were called "trains." Each wagon was drawn by six yoke of oxen—twelve oxen. Twenty-five wagons composed a train. The captains of these trains were instructed to keep two or three miles apart on the trail. If the grass had been eaten closely along the road, or if water became scarce, they were to remain six to eight miles apart. The captains of the trains acted as wagon-masters. There was an assistant wagon-master, and there was a herder to attend the oxen at night. Extra oxen for each train were driven along to replace those who might from any cause become disabled, and there was an attendant for these. There was a driver for each team or wagon. The number of men for each train footed up thirty-one. On

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the plains these trains were known as "bull-trains" and the drivers were known as "bull-whackers." Every man was armed for the protection of the trains. The route of this great business followed the Oregon Trail from Fort Leavenworth to Kennekuk, in the northwestern corner of Atchison County, thence by Seneca to the Big Blue, in Marshall County, thence up the Big Blue bearing to the west, entering Jefferson County, Nebraska, near its southeast corner; thence up the Little Blue to the Platte, at Fort Kearny. Mr. Majors said of the Oregon Trail:

"There is no other road in the United States, nor in my opinion elsewhere, of the same length, where such numbers of men and animals could travel during the summer season as could over the thoroughfare from the Missouri River up the Platte and its tributaries to the Rocky Mountains." At one time, the firm of Russell, Majors & Waddell employed in their business seventy-five thousand oxen and used six thousand two hundred and fifty wagons. These wagons were especially constructed for this business according to specifications furnished by Mr. Majors, and they would carry seven thousand pounds of merchandise.

After the Mormon War was over the freighting of the Mormons to supply their own wants was resumed. Their supplies had to come from points on the Missouri River. Many converts passed over the trail every year to settle in Utah—gather in Zion. The population of the Great Salt Lake Valley increased rapidly, and many other parts of Utah were explored and settled. Another event which gave impetus to the business of freighting over the Oregon Trail was the discovery of gold on Cherry Creek, a tributary of the South Platte, in the western portion of Kansas—now Colorado. It was in the fall of 1857, that it became generally known that there was gold to be found in the streams heading under Pike's Peak. Early in 1858, expeditions left Kansas for these gold fields. Atchison became one of the points on the Missouri from which the parties of gold-hunters outfitted. A citizen of that town sent out a competent engineer to study the best routes to the gold-diggings. It was found that it was six hundred and twenty miles from Atchison to Denver. It was six hundred and eighty-five miles from Leavenworth to Denver. For five hundred miles over this route there was not a house. Various roads were laid out from Missouri River points to Denver, all branching from some route to the Oregon Trail. The heavy travel finally settled to the one over the trail to Julesburg, on the South Platte, thence along that stream to Denver. The rates per pound for transporting freight to the Cherry Creek region were as follows:

Flour	9 cts.	Crackers	17 cts.
Tobacco	12½ "	Whiskey	18 "
Sugar	13½ "	Glass	19½ "
Bacon	15 "	Trunks	25 "
Dry Goods	15 "	Furniture	31 "

On other articles—necessaries of life—the charges were about the same. While many of the gold hunters returned disappointed, others

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A TABLE SHOWING THE NUMBER OF TRAINS WHICH HAVE LEFT ATCHISON THIS SEASON, FOR SALT LAKE CITY AND OTHER POINTS ON THE PLAINS, TOGETHER WITH THE NUMBER OF MEN, CATTLE, MULES, HORSES AND WAGONS ENGAGED IN TRANSPORTING, AND THE AMOUNT OF THE FREIGHT SHIPPED

Owners	Residence	Freighters	Residence	Destination	Wagons	Men	Oxen	Horses	Mules	Pounds Merchandise
Radford, Cabot & Co.	St. Louis	P. M. Chateau & Co.	Kansas City	Salt Lake City	32	40	480	8	12	181,587
John M. Hockaday & Co.	Mail Contractors	First Supply Train	Independence	S. L. M. Stations	10	20	.....	....	80	23,000
Dyer, Mason & Co.	Independence	W. H. Dyer & Co.	Independence	Salt Lake City	60	70	720	5	21	315,000
S. G. Mason & Co.	Independence	E. C. Chiles	Independence	Salt Lake City	27	35	350	3	6	149,000
Radford, Cabot & Co.	St. Louis	J. B. Doyle	New Mexico	Salt Lake City	38	43	460	13	....	198,500
John M. Hockady & Co.	Mail Contractors	Second Supply Train	Independence	S. L. M. Stations	10	18	.....	....	85	21,000
C. C. Branham	Weston	C. C. Branham	Weston	Salt Lake City	28	36	380	12	6	145,500
C. A. Perry & Co.	Weston	C. A. Perry & Co.	Weston	Salt Lake City	91	123	1,080	7	18	500,501
R. H. Dyer & Co.	Fort Kearney	R. H. Dyer & Co.	Fort Kearney	Fort Kearney	38	70	456	4	7	212,800
F. J. Marshall	Marysville	F. J. Marshall	Marysville	Palmetto	20	25	280	1	3	120,000
Irvin & Young	Independence	Irvin & Young	Independence	Salt Lake City	32	40	384	1	7	160,000
Livingston, Kinkead & Co.	New York	Irvin & Young	Independence	Salt Lake City	52	59	624	2	12	234,017
J. M. Guthrie & Co.	Weston, Mo.	S. M. Guthrie & Co.	Weston	Salt Lake City	50	60	700	3	8	252,000
Curtas Clayton	Leavenworth	C. C. Branham	Weston	Salt Lake City	12	25	380	1	12	66,000
Reynald & McDonald	Fort Laramie	Reynald & McDonald	Fort Laramie	Fort Laramie	9	15	163	2	6	49,000
C. Martin	Green River	C. Martin	Green River	Green River	7	12	84	6	1	35,000
Livingston, Kinkead & Co.	New York	Hord & Smith	Independence	Salt Lake City	40	50	.....	5	325	159,400
Hord & Smith	Independence	Hord & Smith	Independence	Do and Way Points	10	15	.....	2	85	37,400
Bisonette & Lazinette	Deer Creek	Bisonette & Lazinette	Deer Creek	Labonto	13	20	156	6	....	67,600
Ballord & Moralle	Marysville	J. S. Watson	Marysville	Marysville	9	13	108	3	....	45,000
R. H. Dyer & Co.	Fort Kearney	R. H. Dyer & Co.		Fort Kearney	13	20	158	2	....	68,100
John M. Hockady & Co.	Independence	Third Supply Train		S. L. M. Stations	57	60	.....	6	312	204,000
Geo. Chorpoening	California	A. J. Schell	Pennsylvania	Cal. & S. L. Stat's	12	20	.....	....	80	21,000
Hockady, Burr & Co.	Salt Lake City	Hockady, Burr & Co.	Utah	Salt Lake City	105	225	1,000	50	200	465,500
					775	1,114	7,963	142	1,286	3,730,905

Freedom's Champion: October 30, 1858.

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remained as permanent settlers. Denver grew rapidly. It was the county seat of Arapahoe County, Kansas, and the headquarters of the gold-seekers—the point about which the Pike's Peak gold excitement centered. It absorbed much of the freight passing out over the Oregon Trail, and in a few years was known as the "Queen City of the Plains."

As showing the volume of the freighting business from one point on the Missouri River, the statistics of it from Atchison for the year 1858 are copied from the *Champion,* of October 30, 1858. (See opposite page.)

The Overland Stage

It was to be expected that the contractors to transport the mails overland to Salt Lake City, and later to Denver, should engage in the business of carrying passengers in their wagons. Hockaday & Liggett put on a line of stage coaches from St. Joseph, Missouri, to Salt Lake City in connection with their mail contract. As the mail went out but twice a month this was a slow line, and if a passenger barely missed a departing coach he was doomed to a wait of two weeks.

In the winter of 1858 the Pike's Peak gold excitement was at its most intense period. Denver was growing much as Jonah's gourd had flourished. Two members of the firm of Russell, Majors & Waddell, Messrs. Majors and Russell were in Washington City in the winter of 1858-59. With them was one John S. Jones, of Pettis County, Missouri. Russell and Jones decided to establish a daily stage line from Leavenworth to Denver. It was proposed to have Mr. Majors interested in that line, but he said it would not pay, and declined to enter the new venture. The mules and coaches for the new stage line were bought on a credit of ninety days, notes being given to secure indebtedness. The route was quickly established. Stations were ten to fifteen miles apart—average, about twelve miles. The route was from the City of Leavenworth to Denver, striking the Kansas River about Indianola, a station three miles northwest of Topeka. Thence it followed the river—up the Smoky Hill—to the plains east of Denver, thence direct to that city. The service was good. The coaches made about one hundred miles every twenty-four hours, taking the mails and passengers the entire distance in six days. The eastern terminus was soon changed to Atchison, as much of the patronage of the line came to that town by the Hannibal railroad. The first coach over this line entered Denver May 17, 1859.

The judgment of Mr. Majors was soon confirmed. When the notes executed in payment for the coaches and mules fell due Russell & Jones could not take them up. Majors was appealed to in this crisis, and he consented to the payment of the notes by the firm of Russell, Majors & Waddell, who became by this transaction owners of the line. The service was continued. Having engaged in the passenger traffic, it was believed to be to the interest of their new line to add to it the old line of Hockaday & Liggett, from St. Joseph to Salt Lake City. It was accordingly bought. It was reorganized. The old coaches were

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inferior in quality and poor in arrangement. The plan had been to start out a coach and drive it several hundred miles without a change of mules or horses. The coach was halted and the team permitted to graze at stated intervals. The time from St. Joseph to Salt Lake City was often twenty days—sometimes longer. The new proprietors put up good stations every ten to fifteen miles. These stations were furnished with good stables where horses were kept to change the teams drawing coaches. Attendants were in waiting with fresh teams, and the time required to take out the tired team and hitch up the new team was reduced to a few minutes. It was sometimes accomplished in five minutes. A stage coach was started each day from each terminus. The time from St. Joseph to Salt Lake City was reduced to ten days.

The mail contract between these points was later awarded to the proprietors of the stage line, but not in time to prevent their suffering immense loss. The amount to be paid for carrying the mail was four hundred thousand dollars annually. The stage line was sold to Ben Holladay just before the first quarterly payment of one hundred thousand dollars was made.

Holladay became the great Overland Stage man. He was born on the old Blue Licks battlefield, in Kentucky, in 1824. He came as a young man to Western Missouri. For a time he kept a saloon or liquor-shop at Weston. He was a good business man. With three associates he bought the Union Mills at Weston, and also a large body of land. The plains were familiar to him for he had gone with Doniphan in the Mormon War in Missouri as courier and express videt. He was a contractor to deliver rations to General Kearny and Doniphan's expedition. At the close of the War with Mexico he purchased from the Government a large amount of war material, including wagons and oxen. In 1849 he organized the first trading expedition to Salt Lake City ever taken out by a gentile. The train consisted of fifty wagons. In this venture he had for partner Hon. Theodore F. Warner, who is said to have used his credit to buy the goods. How he succeeded in Salt Lake City is told by one who knew him in those days:

He was the first Gentile trader to the Mormons. He had a letter from Gen. A. W. Doniphan, to whom Joseph Smith and Brigham Young surrendered at Far West, in 1838, reciting that Holladay, as a boy, had been one of his orderlies at that surrender, and had then expressed sympathy for them, and had helped to render the condition of the women and children more comfortable after the leaders had been imprisoned.

Brigham Young received him, blessed him, and stated in his sermon at the Tabernacle the following Sunday that "Brother Holladay had a large stock of goods for sale, and could be trusted as an honorable dealer." That speech was worth thousands of dollars to him, and it is said that he joined the Mormon church (only on probation, however).

Coming home in the fall, he started with three mules and a negro man to find a new road from Salt Lake to Fort Bridger, and wandered in the mountains for several days without food, and was saved from starvation by finding a broken-down buffalo, that furnished, he said, the sweetest morsel he had ever tasted.

In 1850 he traded his goods for cattle, drove them to California,

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fattened them on the Sacramento bottom, and sold them to the Panama Steamship Company at a large profit. First he sold a small lot, but wished to sell more and at a larger price. The superintendent of the company sent for him, and he answered that he did not have time, but that they must come to him. They did, and made a contract for thirty cents a pound on foot. He said afterwards that he would have crawled on his knees to their office when he had refused to go, but that he had been kept informed that they were short of beef and the market bare, and that if they came to him it would be worth five cents a pound.

To get his compensation increased for carrying the mail, he rode in one of his stages from Salt Lake to Atchison in eight days, the route then being estimated on the line traveled at 1,300 miles.

He was opposed to his children marrying foreigners, but was gratified that his son married a country girl in California.

His life showed the elasticity of American institutions; at fifteen, laboring on a farm in the mountains of Kentucky; at forty owned sixteen steamships, trading to every point of the Pacific; building a castle on the Hudson; children married to noblemen—all the result of his own talent and enterprise.

And, so it was, that when Holladay took over the line of Russell, Majors & Waddell that enterprise went into experienced hands. Holladay took possession of the line in March, 1862. Its legal name was the Central Overland California, and Pike's Peak Express Company, and Bela M. Hughes had been its president and manager since April, 1861. Mr. Hughes was an able man. Under his management the first through coach reached California. It left St. Joseph July 1, 1861, and arrived at Placerville, California, in eighteen days, and on schedule time. On the 18th day of July, 1861, the first through coach from Placerville arrived at St. Joseph, carrying as the first passenger Major J. W. Simonton, one of the editors of the San Francisco *Bulletin*.

Holladay added other lines to his Central Overland—one to Virginia City, Montana, and one to Boise City, Idaho. This increased the mileage of his stage lines to thirty-three hundred miles. He secured additional contracts for transporting mails. Those which came to him with the old line he had the Government add materially to, as well as to authorize additional service and compensation.

In 1865, David A. Butterfield, of Atchison, founded Butterfield's Overland Despatch. Its eastern terminus was Atchison, Kansas. The principal western point reached was Denver. It was both a freight and passenger line. The route was from Atchison by way of Grasshopper Falls (now Valley Falls) to Indianola; thence up the Kansas to the Smoky Hill, which it followed until that stream came out on the high plains, and thence to Denver. This line fell into Holladay's hands, and was added to his lines. The Atchison *Daily Free Press,* March 17, 1866, contained a notice "To the Employes of the Overland Despatch Company." This notice was to the effect that "The Overland Stage line and the Overland Despatch Company have become one property under the name of Holladay Overland Mail and Express Company." It is beyond the limits of this book to trace the operations of all these stage, freight and mail lines. It is hoped to give an intelligent idea of the

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development of them in their relations to the progress of Kansas. In 1860 Richard F. Burton passed over the stage lines on the Oregon Trail. He wrote an account of his journey, from which are taken a few extracts describing the coaches, the country, and the people:

Precisely at 8 A. M. appeared in front of the Patee House—the Fifth Avenue Hotel of St. Jo—the vehicle destined to be our home for the next three weeks. We scrutinized it curiously.

The mail is carried by a "Concord coach," a spring wagon, comparing advantageously with the horrible vans which once dislocated the joints of men on the Suez route. The body is shaped somewhat like an English tax-cart considerably magnified. It is built to combine safety, strength, and lightness, without the slightest regard to appearances. The material is well-seasoned white oak—the Western regions, and especially Utah, are notoriously deficient in hard woods—and the manufacturers are the well-known coachwrights, Messrs. Abbott, of Concord, New Hampshire; the color is sometimes green, more usually red, causing the antelopes to stand and stretch their large eyes whenever the vehicle comes in sight. The wheels are five to six feet apart, affording security against capsizing, with little "gather" and less "dish"; the larger have fourteen spokes and seven fellies; the smaller twelve and six. The tires are of unusual thickness, and polished like steel by the hard dry ground; and the hubs or naves and the metal nave-bands are in massive proportions. The latter not unfrequently fall off, as the wood shrinks, unless the wheel is allowed to stand in water; attention must be paid to resetting them, or in the frequent and heavy "sidelins" the spokes may snap off all round like pipe-stems. The wagon-bed is supported by iron bands or perpendiculars abutting upon wooden rockers, which rest on strong leather thoroughbraces; these are found to break the jolt better than the best steel springs, which, moreover, when injured, can not readily be repaired. The whole bed is covered with stout osnaburg supported by stiff bars of white oak; there is a sun-shade or hood in front, where the driver sits, a curtain behind which can be raised or lowered at discretion, and four flaps on each side, either folded up or fastened down with hooks and eyes. In heavy frost the passengers must be half dead with cold, but they care little for that if they can go fast. The accommodations are as follows: In front sits the driver, with usually a conductor or passenger by his side; a variety of packages, large and small, is stowed away under his leather cushion; when the brake must be put on, an operation often involving the safety of the vehicle, his right foot is planted upon an iron bar which presses by a leverage upon the rear wheels; and in hot weather a bucket for watering the animals hangs over one of the lamps, whose companion is usually found wanting. The inside has either two or three benches fronting to the fore or placed vis-a-vis; they are movable and reversible, with leather cushions, and hinged padded backs; unstrapped and turned down, they convert the vehicle into a tolerable bed for two persons or two and a half. According to Cocker, the mail-bags should be safely stowed away under these seats, or if there be not room enough the passengers should perch themselves upon the correspondence; the jolly driver, however, is usually induced to cram the light literature between the wagon bed and the platform, or running-gear beneath, and thus, when ford-waters wash the hubs, the letters are pretty certain to endure ablution. Behind, instead of dicky, is a kind of boot where passengers' boxes are stored beneath a stout canvas curtain with leather sides. The comfort of travel depends upon packing the wagon; if heavy in front or rear, or if the thorough-

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braces be not properly "fixed" the bumping will be likely to cause nasal hemorrhage. . . .

. . . We ought to start at 8:30 A. M.; but we are detained an hour while last words are said, and adieu—a long adieu—is bidden to joke and julep, to ice and idleness. Our "plunder" is clapped on with little ceremony—a hat-case falls open—it was not mine, gentle reader—collars and other small gear cumber the ground, and the owner addresses to the clumsy-handed driver the universal G— d—, which in these lands changes from its expletive or chrysalis form to an adjectival development. We try to stow away as much as possible; the minor officials, with all their little faults, are good fellows, civil and obliging; they wink at non-payment for bedding, stores, weapons, and they rather encourage than otherwise the multiplication of whiskey-kegs and cigar-boxes. We now drive through the dusty roads of St. Jo, the observed of all observers, and presently find ourselves in the steam ferry which is to convey us from the right to the left bank of the Missouri River. . . .

. . . Landing in Bleeding Kansas—she still bleeds—we fell at once into "Emigration Road," a great thoroughfare, broad and well worn as a European turnpike or a Roman military route, and undoubtedly the best and the longest natural highway in the world. . . .

Passing through a few wretched shanties called Troy—last insult to the memory of hapless Pergamus—and Syracuse (here we are in the third, or classic stage of United States nomenclature) we made, at 3 P. M., Cold Springs, the junction of the Leavenworth route. Having taken the northern road to avoid rough ground and bad bridges, we arrived about two hours behind time. The aspect of things at Cold Springs, where we were allowed an hour's halt to dine and to change mules, somewhat dismayed our fine-weather prairies travelers. The scene was the real "Far West." The widow body to whom the shanty belonged lay sick with fever. The aspect of her family was a "caution to snakes;" the ill-conditioned sons dawdled about, as listless as Indians, in skin tunics and pantaloons fringed with lengthy tags such as the redoubtable "Billy Bowlegs" wears on tobacco labels; and the daughters, tall young women, whose sole attire was apparently a calico morning-wrapper, color invisible, waited upon us in a protesting way. Squalor and misery were imprinted upon the wretched log hut, which ignored the duster and the broom, and myriads of flies disputed with us a dinner consisting of dough-nuts, green and poisonous with saleratus, suspicious eggs in a massive greasy fritter, and rusty bacon, intolerably fat. It was our first sight of squatter life, and, except in two cases, it was our worst. We could not grudge 50 cents a head to these unhappies; at the same time, we thought it a dear price to pay—the sequel disabused us—for flies and bad bread, worse eggs and bacon.

The next settlement, Valley Home, was reached at 6 P. M. Here the long wave of the ocean land broke into shorter seas, and for the first time that day we saw stone, locally called rocks (a Western term embracing everything between a pebble and a boulder), the produce of nullahs and ravines. A well 10 to 12 feet deep supplied excellent water. The ground was in places so far reclaimed as to be divided off by posts and rails; the scanty crops of corn (Indian corn), however, were wilted and withered by the drought, which this year had been unusually long. Without changing mules we advanced to Kennekuk, where we halted for an hour's supper under the auspices of Major Baldwin, whilom Indian agent; the place was clean, and contained at least one charming face.

Kennekuk derives its name from a chief of the Kickapoos, in whose reservation we now are. This tribe, in the days of the Baron la Hontan (1689), a great traveler, but "aiblins," as Sir Walter Scott said of his

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grandmother, "a prodigious story-teller," then lived on the Riviere des Puants, or Fox River, upon the brink of a little lake supposed to be the Winnebago, near the Sakis, (Osaki, Sawkis, Sauks, or Sacs), and the Pouteoustamies (Potawotomies). They are still in the neighborhood of their dreaded foes, the Sacs and Foxes, who are described as stalwart and handsome bands, and they have been accompanied in their southern migration from the waters westward of the Mississippi, through Illinois, to their present southern seats by other allies of the Winnebagoes, the Iowas, Nez Perces, Ottoes, Omahas, Kansas, and Osages. Like the great nations of the Indian Territory, the Cherokees, Creeks, Choctaws, and Chickasaws, they form intermediate social links in the chain of civilization between the outer white settlements and the wild nomadic tribes to the west, the Dakotahs, and Arapahoes, the Snakes and Cheyennes. They cultivate the soil, and rarely spend the winter in hunting buffalo upon the plains. Their reservation is twelve miles by twenty-four; as usual with land set apart for the savages, it is well watered and timbered, rich and fertile; it lies across the path and in the vicinity of civilization; consequently, the people are greatly demoralized. The men are addicted to intoxication, and the women to unchastity; both sexes and all ages are inveterate beggars, whose principal industry is horse-stealing. Those Scottish clans were the most savage that vexed the Lowlands; it is the case here; the tribes nearest the settlers are best described by Colonel B—'s phrase, "great liars and dirty dogs." They have well nigh cast off the Indian attire, and rejoice in the splendors of boiled and ruffled shirts, after the fashion of the whites. According to our host, a stalwart son of that soil which for generations has sent out her best blood westward, Kain-tuk-ee, the Land of Cane, the Kickapoos number about 300 souls, of whom one-fifth are braves. He quoted a specimen of their facetiousness; when they first saw a crinoline, they pointed to the wearer and cried, "There walks a wigwam." Our "vertugardin" of the 19th century has run the gauntlet of the world's jests, from the refined impertinence of Mr. Punch to the rude grumble of the American Indian and the Kaffir of the Cape.

Beyond Kennekuk we crossed the first Grasshopper Creek. Creek, I must warn the English reader, is pronounced "crik," and in these lands, as in the jargon of Australia, means not "an arm of the sea," but a small stream of sweet water, a rivulet; the rivers of Europe, according to the Anglo-American of the West, are "criks." On our line there are many grasshopper creeks; they anastomose with, or debouch into, the Kansas River, and they reach the sea via the Missouri and the Mississippi. This particular Grasshopper was dry and dusty up to the ankles; timber clothed the banks, and slabs of sandstone cumbered the soil. Our next obstacle was Walnut Creek, which we found, however, provided with a corduroy bridge; formerly it was a dangerous ford, rolling down heavy streams of melted snow, and then crossed by means of the "bouco" or coracle, two hides sewed together, distended like a leather tub with willow rods, and poled or paddled. At this point the country is unusually well populated; a house appearing after every mile. Beyond Walnut Creek a dense nimbus, rising ghost-like from the northern horizon, furnished us with a spectacle of those perilous prairie storms which make the prudent lay aside their revolvers and disembarrass themselves of their cartridges. Gusts of raw, cold, and violent wind from the west whizzed overhead, thunder crashed and rattled closer and closer, and vivid lightning, flashing out of the murky depths around, made earth and air one blaze of living fire. Then the rain began to patter ominously upon the carriages; the canvas, however, by swelling, did its duty in becoming water-tight, and we rode out the storm dry. Those learned in the weather predicted a succession

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of such outbursts, but the prophecy was not fulfilled. The thermometer fell about 6° (F.) and a strong north wind set in, blowing dust or gravel, a fair specimen of "Kansas gales" which are equally common in Nebraska, especially during the month of October. It subsided on the 9th of August.

Arriving about 1 A. M. at Locknan's Station, a few log and timber huts near a creek well feathered with white oak and American elm, hickory and black walnut, we found beds and snatched an hourful of sleep.

8th August, to Rock Creek.

Resuming, through air refrigerated by rain, our now weary way, we reached at 6 A. M. a favorite camping-ground, the "Big Nemehaw" Creek, which, like its lesser neighbor, flows after rain into the Missouri River, via Turkey Creek, the Big Blue, and the Kansas. It is a fine bottom of rich black soil, whose green woods at that early hour were wet with heavy dew, and scattered over the surface lay pebbles and blocks of quartz and porphyritic granites. "Richland," a town mentioned in guide-books, having disappeared, we drove for breakfast to Seneca, a city consisting of a few shanties, mostly garnished with tall square lumber fronts, ineffectually, especially when the houses stand one by one, masking the diminutiveness of the buildings behind them. The land, probably in prospect of a Pacific Railroad, fetched the exaggerated price of $20 an acre, and already a lawyer has "hung out his shingle" there.

. . . The "ripper," or driver, who is bound to the gold regions of Pike's Peak, is a queer specimen of humanity. He usually hails from one of the old Atlantic cities—in fact, settled America—and, like the civilized man generally, he betrays a remarkable aptitude for facile descent into savagery. His dress is a harlequinade, typical of his disposition. Eschewing the chimney-pot or stove-pipe tile of the bourgeois, he affects the "Kossuth," an Anglo-American version of the sombrero, which converts felt into every shape and form, from the jaunty little head-covering of the modern sailor to the tall steeple-crown of the old Puritan. He disregards the trichotomy of St. Paul, and emulates St. Anthony and the American aborigines in the length of his locks, whose ends are curled inward, with a fascinating sausage-like roll not unlike the Cockney "aggrawator." If a young hand, he is probably in the buckskin mania, which may pass into the squaw mania, a disease which knows no cure; the symptoms are, a leather coat and overalls to match, embroidered if possible, and finished along the arms and legs with fringes cut as long as possible, while a pair of gaudy moccasins, resplendent with red and blue porcelain beads, fits his feet tightly as silken hose. I have heard of coats worth $250, vests $100, and pants $150; indeed, the poorest of buckskin suits will cost $75, and if hard-worked it must be renewed every six months. The successful miner or the gambler—in these lands the word is confined to the profession—will add $10 gold buttons to the attractions of his attire. The older hand prefers to buckskin a "wamba" or roundabout, a red or rainbow-colored flannel over a check cotton shirt; his lower garments, garnished a tergo with leather, are turned into Hessians by being thrust inside his cow-hide Wellingtons; and, when in riding gear, he wraps below each knee a fold of deer, antelope, or cow skin, with edges scalloped where they fall over the feet, and gartered tightly against thorns and stirrup thongs, thus effecting that graceful elephantine bulge of the lower leg for which "Jack ashore" is justly celebrated. Those who suffer from sore eyes wear huge green goggles, which give a crab-like air to the physiognomy, and those who can not procure them line the circumorbital region with lampblack, which is supposed to act like the surma or kohl of the Orient. A broad leather

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belt supports on the right a revolver, generally Colt's Navy of medium size (when Indian fighting is expected, the large dragoon pistol is universally preferred), and on the left, in a plain black sheath, or sometimes in the more ornamental Spanish scabbard, is a buck-horn or ivory-handled bowie-knife. In the East the driver partially conceals his tools: he has no such affectation in the Far West; moreover, a glance through the wagon-awning shows guns and rifles stowed along the side. When driving he is armed with a mammoth fustigator, a system of plaited cow-hides cased with smooth leather; it is a knout or an Australian stock-whip, which, managed with both hands, makes the sturdiest ox curve and curl its back. If he trudges along an ox-team, he is a grim and surly man, who delights to startle your animals with a whip-crack, and disdains to return a salutation; if his charge be a muleteer's, you may expect more urbanity; he is then in the "upper-crust" of teamsters; he knows it and demeans himself accordingly. He can do nothing without whisky, which he loves to call tarantula juice, strychnine, red-eye, corn juice, Jersey lightning, leg-stretcher, "tangle-leg" and many other hard and grotesque names; he chews tobacco like a horse, he becomes heavier "on the shoulder" or "on the shyoot" as, with the course of empire, he makes his way westward; and he frequently indulges in a "spree" which in these lands means four acts of drinking-bout, with a fifth of rough-and-tumble. Briefly, he is a post-wagon driver exaggerated. . . .

Beyond Guittard's the prairies bore a burnt-up aspect. Far as the eye could see the tintage was that of the Arabian Desert, sere and tawny as a jackal's back. It was still, however, too early; October is the month for those prairie fires which have so frequently exercised the Western author's pen. Here, however, the grass is too short for the full development of the Phenomenon, and beyond the Little Blue River there is hardly any risk. The fire can easily be stopped, *ab initio,* by blankets, or by simply rolling a barrel, the African plan of beating down with boughs might also be used in certain places; and when the conflagration has extended, travelers can take refuge in a little Zoar by burning the vegetation to windward. In Texas and Illinois, however, where the grass is tall and rank, and the roaring flames leap before the wind with the stride of maddened horses, the danger is imminent, and the spectacle must be one of awful sublimity.

In places where the land seems broken with bluffs, like an iron-bound coast, the skeleton of the earth becomes visible—the formation is a friable sand stone, overlying fossiliferous lime, which is based upon beds of shale. These undergrowths show themselves at the edges of the ground-waves and in the dwarf precipices, where the soil has been degraded by the action of water. The yellow-brown humus varies from forty to sixty feet deep in the most favored places, and erratic blocks of porphyry and various granites encumber the dry water-courses and surface drains. In the rare spots where water then lay, the herbage was still green, forming oases in the withering waste, and showing that irrigation is its principal, if not its only want.

Passing by Marysville, in old maps, Palmetto City, a county town which thrives by selling whisky to ruffians of all descriptions, we forded before sunset the "Big Blue" a well-known tributary of the Kansas River. It is a pretty little stream, brisk and clear as crystal, about forty or fifty yards wide by 2:50 feet deep at the ford. The soil is sandy and solid, but the banks are too precipitous to be pleasant when a very drunken driver hangs on by the lines of four very weary mules. We then stretched once more over the "divide" the ground, generally rough or rolling, between the fork or junction of two streams, in fact, the Indian Doab—separating the Big Blue from its tributary, the Little

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Blue. At 6 P. M. we changed our fagged animals for fresh, and the land of Kansas for Nebraska, at Cottonwood Creek. . . .

The Pony Express

The most romantic enterprise connected with the Oregon Trail was the Pony Express. It was the conception of Senator Gwin, of California. In 1859, the only Overland Mail to California was by the Butterfield Route—from St. Louis and Memphis to Fort Smith; thence to El Paso; thence to Los Angeles, and thence to San Francisco. The Senator believed a shorter route could be found by the Oregon Trail and the road from Salt Lake City to the Pacific Coast. In the winter of 1859-60, W. H. Russell, of Russell, Majors & Waddell, was in Washington in connection with contracts his company then had with the Government. Senator Gwin sought him and discussed the plan of securing quicker communications with California. He suggested the Pony Express. Russell, Majors & Waddell were then running a daily stage from the Missouri River to Salt Lake City, and they had contracts for transporting large quantities of freight over the same route. It was Senator Gwin's idea to utilize the daily stage line in obtaining the better mail service for the Pacific Coast. Mr. Russell could not figure that the line would pay, but he agreed to submit to his partners the matter of its establishment. They believed it could not be made to pay expenses. The business already on hand required all their energies. To take on additional business only to lose money did not appeal to them, and Mr. Russell was turned down. This was a disappointment, for he had expressed the belief that the enterprise would be undertaken by his company. To carry a refusal to Senator Gwin would be a humiliation, and he made a last appeal to his partners to stand by him and establish the line. He rehearsed the arguments of the Senator, who, as an inducement, had given assurance of his efforts to secure a subsidy from the Government to aid in the payment of expenses if the line should prove unremunerative. The result was that the company determined to organize this shorter and quicker service to California—to establish the Pony Express. It is more than likely that the deciding factor in the matter was the hope that additional Government business would fall to the company as a consequence of setting up this new mail line to the Pacific Coast.

Having already suitable stations for this service between Missouri River points and Salt Lake City as a part of the equipment of the daily stage line, it remained to provide like facilities from the Utah point to Sacramento. This was accomplished within sixty days. More than four hundred horses were purchased. Two hundred additional station-keepers were employed. More than eighty express riders were hired and distributed along the line from St. Joseph to Sacramento. In this distance there were about one hundred and ninety stations. It was fixed that each rider should make thirty-three and one-third miles on one run changing horses twice after leaving his home station—about eleven miles for each horse. Both riders and horses often exceeded these dis-

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tances in cases of emergency. The shortest time made on the Butterfield Route was twenty-one days from San Francisco. The schedule made out by Russell, Majors & Waddell for the Pony Express was ten days from St. Joseph to Sacramento—two thousand miles. Even this schedule was beaten on some occasions.

The express riders were paid by the month. Some of them received only fifty dollars, while others had three times as much—depending on the risk and responsibility of their assignments. All had their board in addition to their wages.

The regulations prepared for the government of the service by the Pony Express set the maximum weight of any mailbag to be carried at twenty pounds. The bag and mail usually weighed about fifteen pounds. The letters and messages were written on tissue paper. The minimum charge for carrying any letter or message was five dollars. If it weighed more than half an ounce there was an additional charge. The mail was carefully wrapped in oiled silk before being put into the bags. There were four packages of mail put into each bag.

The Government made a postage charge on the letters carried by the Pony Express. Each letter or message weighing a half-ounce was required to be enclosed in a ten-cent stamped envelope. The charge of the Company was in addition to the Government postage. The Company charge was expressed in stamps also, and these became known as "Pony Stamps." Sometimes letters were carried which had as much as twenty-five dollars in "Pony Stamps" on them.

The first trip made by the Pony Express from an eastern point left St. Joseph, on April 3, 1860. Notice of the event had been published in the newspapers. Crowds had assembled, the town was decorated, speeches were delivered, and brass-bands had marched and played inspiring music. Upon the arrival of the train from Hannibal the mail was "made up" and taken by ferry to the Kansas shore of the Missouri. There was waiting there John Frey—later known only as "Pony Johnny"—with his coal-black racer. It was well past five o'clock, and the shades of night were settling. He mounted with the precious mail, replied to many a well-wisher standing about him, waived a parting to the assembled thousands on the Missouri shore, and plunged into the blackening night.

On the same day a scene somewhat like that at St. Joseph was enacted at Sacramento. That city was gayly decorated with bunting, flags and floral arches. Imposing parades headed by brass-bands were the order of the day. Speeches were made by the State officials, and artillery boomed from heights beyond the city. At the time set, the mail was delivered to Harry Roff, who mounted a white horse with his precious burden and left as on the wings of the wind. He had more daylight than his Eastern fellow-courier, and made two "stages" of his assignment—twenty miles—in fifty-nine minutes. He changed horses in ten seconds. At Folsom he changed again. He rode into Placerville—fifty-five miles—the end of his "run" in two hours and forty-nine minutes.

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The mail carried away from St. Joseph by "Pony Johnny" reached Sacramento in nine days and twenty-three hours. That which left Sacramento arrived at St. Joseph in eleven days and twelve hours.

The Pony Express had a brief but stirring life. It was in existence about eighteen months, being succeeded by the telegraph line. It had aided in saving California to the Union, having carried President Lincoln's inaugural address, March 4, 1861, from St. Joseph to Sacramento in seven days and seventeen hours.

Among the riders of the Pony Express was William F. Cody—Buffalo Bill. He was dashing, daring, efficient. "Pony Johnny" was in the Union army in the Civil War, and it is said that he was killed

BUFFALO BILL AND HIS OLD STAGE COACH ON A RECENT VISIT TO TOPEKA

[Photograph by Willard, Topeka]

in the Baxter Springs Massacre by Quantrill. Many of the Pony Express riders were superior men and carved out fortunes for themselves in the Great West.

SUMMARY OF EVENTS

It is well to make at this point a summary of the essential events of the Oregon Trail to find if possible what its national import was. It began at Independence in Western Missouri. At that point travel and commerce bound for the Great West left the Missouri River and struck out overland along this famous highway. This royal road traversed the Great Plains, the Great Interior Basin, and the Pacific Slope. It wound its tortuous course over prairie and plain, up and over the

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Rocky Mountains, through the great interior valleys, and emerged in the Northwest at Fort Vancouver, on the Columbia, two thousand and twenty miles away.

No other American trail covered such a distance or carried such possibilities of empire. The potentiality of Kansas, Nebraska, Colorado, Wyoming, Utah, Nevada, Idaho, Washington, Oregon and California lay ready to spring into life under its vitalizing development. Its first influence was exerted on that plain forming the east slope of the great central mountain chain. The physical character of man always conforms to his environment, and we must see what manner of country this immense plain was in the last century.

The line defining the eastern edge of the Great Plains is approximately the western boundaries of Louisiana, Arkansas, Missouri, and Iowa, and thence north to the Arctic Ocean. Elevation is a factor in much of its course in the United States. It will be found to follow generally that demarcation indicating an elevation of one thousand feet above the sea. The western boundary of the Great Plains is the crest of the Rocky Mountains. In fixing these limits it is necessary to follow closely the lines laid down by William Gilpin, by far the best authority on this subject.

The Great Plains are not uniform in climate in a given latitude, though they partake generally of the nature of the desert and arid lands of the globe. General Pike thought Kansas might support sheep and goats, and it was the judgment of Gilpin that no plow should desecrate the Great Plains outside the areas which could be irrigated. But even in his day they fell naturally into two divisions—

1. The Prairies,
2. The Plains Proper.

A general line north and south through Council Grove and Fort Kearny marked the western limits of the Prairies, the fairest country in America. Beyond this line there was a different land. The buffalo grass prevailed. There was little timber—none away from the streams. In that realm was the last stand of the buffalo. It was the home of the Plains Indian. There it lay, wrapped in solitude. It was grass-grown, but desolate. At the horizon it looked like the sea. The harsh aspects of nature were softened in the dim and hazy distance, and at night the stars were brilliant and seemed to hang just above the earth. That land had its own peculiar life—the roving, restless and cruel Indian tribe, the buffalo ebbing and flowing with the seasons, the skulking wolf, the prairie dog, the rattlesnake and the owl. In its higher reaches appeared the elk, the antelope, the deer, the panther, the bear, the mountain sheep. Over the peaks soared the eagle, in the pines fluttered bright-plumaged birds, and in the mountain streams swam the beaver. To the man who once penetrated its recesses and heard its irresistible call it was as fascinating as paradise.

In that day beyond the Great Plains lay another country, new and untrodden by civilized man. It stretched to the Pacific Ocean and was traversed by mighty mountain ranges, gashed by bottomless canyons,

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and watered by some of the great rivers of the earth. Of timber, coal, fish, furs, silver and gold it held unequaled treasure and riches. From the beginning the lines of our destiny ran west, and the entrance and penetration of this unsurpassed empire was by and over the ancient highway which we called the Oregon Trail.

When we fought our Revolution and gained a place among the nations we touched our western limits at the Mississippi. Our country was divided by the Appalachian chain. The dwellers along the seaboard had little thought for the great valleys of the overhill portion of our country. To most of them it was of little consequence. The rich man is usually a sluggish and satisfied man. He rarely troubles himself with exploration and the conquest of the wilderness. The genius and destiny of a country are perceived and carried out by the common people, those who toil and sweat, and with us the strongest men have appeared on the frontier—Washington, the Clarks, Boone, Clay, Lincoln, Benton, Gilpin, the Santa Fe traders, and the Rocky Mountain fur trappers who trod the Oregon Trail.

Kentucky was the pioneer in the westward movement. Her people needed the Mississippi River, and when an indifferent government left their demands unheeded, they swore to have it even at the expense of a divided country. To appease them Jefferson bought Louisiana. That was the beginning of our greatness as a nation. The expedition of Lewis and Clark revealed to us the extent and resources of the Missouri and the Columbia and their relations to the Mississippi Valley and the Pacific Ocean. The men of the frontier made preparations to realize on some of the resources of Louisiana and the country beyond it. They penetrated the wilds in search of the bear and the beaver. That was the beginning of the Oregon Trail as known to the white man. The principal characters of that time were Ashley, the Bents, the Subletts, Jedediah S. Smith, Beckwourth, Bridger, Campbell, and, finally, Captain Bonneville. They organized a commerce which yet touches the imagination, and which revealed many of the possibilities of the Great West. Their adventures fill volumes with accounts of the most fascinating wilderness-life known to any literature.

This royal highway had three eras, which, like other divisions based on time, overlapped and blended to some extent, but their bounds were substantially as follows:

1. The Romantic Period, which ended in 1834, after which it was unprofitable to trap the beaver.

2. The Heroic Period, which ended with the Civil War.

3. The Practical Period, in which the Old Trail disappeared to the use of the railroad.

Space will not permit an extended review of any of these periods. Brief mention, however, can be made of them. At this point it is well to call attention to a few dates connected with the Trail.

Captain Bonneville passed out over it in 1832. He took the first wagons through the South Pass.

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Fort Hall was established in 1834 by Nathaniel Wyeth, who led an expedition from New England to the Pacific Coast in 1832.

In 1836 two white women, the wives of Whitman and Spalding, went over the Oregon Trail to Walla Walla.

In 1834 Robert Campbell and William Sublette built old Fort Laramie. In 1849 the Government bought it.

In 1842 Jim Bridger built his fort. The Old West was then a thing of the past—was gone forever, and the new period was well under way. The Mormons bought Fort Bridger in 1853. In 1857 it became an Army Post and so remained until 1890.

The Mormon migration began in 1847. This people founded Deseret and established a Zion in the wilderness.

The Romantic Period of the Oregon Trail was the era of fur-gathering in the Rocky Mountains. Ashley and his adventurous associates and successors threaded the plains and mountains. They found every pass and trapped in every stream. They fraternized with or fought every Indian tribe of all the regions of the West. Caravans had annually carried out cargoes of merchandise suitable for the Indian trade, and had packed back the bales of furs taken in the barter of the wilderness. That gave the old Trail its permanent location. Like all other necessary things, it had its origin in the needs of mankind. The buffalo, the elk, the deer and the bear first marked it. They found the easiest grades—the lowest gaps. They learned the routes where water could be always found. They were followed by the Indians—for ages on foot, but, later, on ponies. This old Trail had been in use ages upon ages before the white man saw America. It was the highway of wild beasts, of savages, of barbarians, and finally of civilized man. What a history it has!

In 1834 it became unprofitable to trap beaver as an organized commercial enterprise. This is a talismanic date in the history of the Oregon Trail and the development of the West. It closed the Romantic Period. And in that connection it may be not unprofitable to recall here the progress made by the United States up to that time. In 1834 there was but one state west of the Mississippi—the State of Missouri. Arkansas was admitted in 1836, California in 1850, Minnesota in 1858, Oregon in 1859, Kansas in 1861, Nevada in 1864, Nebraska in 1867, Colorado in 1876. Louisiana, at the mouth of the Mississippi, and on both sides of that river, had been admitted in 1812.

Continuing this generalization it is found that the first railroad in the United States was the Baltimore and Ohio. It had twenty-three miles of track in 1830, and until 1832 it was worked by horse power. In 1830 all the American railroads had forty miles of track. After that date the growth was more rapid. In 1841 there were 3,361 miles. In 1849 there were 7,308 miles and in 1853 there were 14,301 miles. In this year of 1853, the first railroad was built west of the Mississippi River—thirty-eight miles. The Civil War checked railroad construction. In 1865 there were 3,007 miles of railroad west of the Mississippi and 29,988 miles east of that river.

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The Heroic Period of the Oregon Trail began in earnest in 1847 when the Mormons traversed its endless and tortuous course across the Great Plains to escape persecution and find a Canaan. This was the first great movement connected with it. They streamed out over the various branches of the Old Trail on the way to Zion. Their action was called madness, but they succeeded. Mishap, hardship, starvation and death stood in their way, but they built a city in the desert and founded a great state.

Before the Mormons had launched their fortunes on the Great Plains the migration to Oregon over this Trail had commenced. Peter H. Burnett, who became the first Governor of California, as we have seen, took his family to Walla Walla and Vancouver in 1843. Pioneers had gone before him, and many followed him, all using the Oregon Trail from end to end. They were the pioneer settlers of the Great Northwest, and from their dreary and toilsome days of small things prosperous states have grown. Green valleys have been peopled, and at the margin of the sea stand splendid cities trading to the ends of the earth.

But the first movement over the Old Oregon Trail to assume an immediate national aspect was the migration to California in 1849. The California Gold Fever was a disease that spread to all the world. It revolutionized America. It produced conditions which precipitated the Civil War. It changed the American from a conservative, contented citizen, satisfied with a reasonable return upon his investment and toil, to an excitable, restless, insatiable person who wished to realize on the resources of the universe in a day. It was the beginning of our national madness—of our insanity of greed. It marks the advent of character decadence and American moral degeneracy. In California a man might wash from a placer more gold in a week than he could accumulate in a life of business. When the placer gold was exhausted he turned to other natural resources, and his greed increased. Today money is the god of the Americans. Perhaps it would not be too much to say that it is the god of the world. For mammon rules. Even the church lies stranded on the sands and shallows of money-madness. Mankind is affected and involved. Europe returns to savagery for slim strips of barren territory. And it is not improbable that other countries shall be embroiled for a similar purpose. And this world movement began in California in 1848. Gilpin said that in a decade the California Gold Fever had transplanted itself from Australia to Pike's Peak, and adds:

"It has permeated mankind as an electric fluid, to animate, to regenerate, to exalt humanity. Its inspiring democratic genius has, within a quarter of a century, covered the continent with railways, and with telegraphs. It economizes navigation by the establishment of steam ferries upon the ocean and telegraphic cables upon its profound bed."

All this was projected upon a war and its results. It is curious to note the effects of wars. They exert latent influences never foreseen by

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those who engage in them. They loose forces not before dreamed of. In the creation and development of our government and its dependencies, wars have moved in a mysterious way. If called upon to designate the event of most far-reaching consequence in our national life the Mexican War of 1846 might well be named. It was not counted as much for heavy battles, though there was fierce fighting. But for our purchase of Louisiana it might never have occurred. It certainly would not have come at the time and in the manner it did but for the controversy over Texas. And Texas was really a part of Louisiana. As a result of that war, in addition to what was our own, we obtained California, Nevada, Utah, Arizona, and portions of New Mexico, Colorado, and Wyoming. In this territory were found the greatest gold fields known to the children of men, and the discovery of which, immediately after the country came to us, turned the world upside down.

Every soldier who had served in the Mexican War who could possibly get there became a placer miner in California in 1849. These soldiers had marched across the deserts under scorching heat in Mexico, and they became the leaders of the crowds and caravans and companies that wound across the plains and over mountains to the land of gold.

Great is the year 1849! There it stands to mark a new era in the annals of mankind!

To reach California in that year the thousands thronged the Old Oregon Trail. With following years they still pressed forward over its sinuous windings in ever increasing numbers. Household wreckage strewed its borders as other wreckage strews the shores of the salt and stormy sea. And these pilgrims once arrived at their destination found that their El Dorado did not satisfy them. Gold did not suffice. They could not themselves understand the impulse which moved them. None really knew why they were stirred. The hidden forces of humanity had burst into spontaneous and irresistable action which has increased to this day. It became immediately world-wide. Old China that had slept a thousand years shook off her lethargy. The wisest can not foresee what shall finally be the result of the discovery of gold in California. It may and probably will destroy governments and level monarchies—has indeed already done that. It may wreck our own political structure, and that all our institutions are to be recast is certain. For the spirit loosed in California is democratic and class-destroying.

These are some of the national aspects of the Oregon Trail, or, rather, some of the aspects which had their origin in connection with it. As men toiled over it they saw visions which did not materialize in their day, but the glory of which they transmitted with the promise that they would burst into realization with the coming years. There is no limit to be set to the mind of man. The possibilities of its achievement can not be measured. It is moved first by some concrete example, or desire. But its growth is stimulated and brought to sublime power by the objects of nature. As affirmed before, the genius of a people is carried and fostered, not by statesmen and orators and diplomats, but by the common people—such men as toiled over the Oregon Trail. They

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see things which the eyes of statesmen can never see. Working through the common mind of the people who labor with their hands, the great natural laws of the universe—little understood by any of us—overturn dynasties, break down nations, elevate to dignity and power new people, new systems, and enthrone new conceptions of duty and all the relations of life. Their judgment is destiny.

It is the duty of students to search for causes. To him who makes an honest effort in this direction very strange things are revealed. Events take on new meanings and their effects are frought with fascinating interest. We have said something generally of wars. And when we come to consider our Civil War we find that it was a domestic irruption bearing many modifying consequences. It grew primarily out of the question of human slavery. But connected with this principle of our government as organized by the fathers were many others. It finally became a question of constitutional interpretation. The rights of the states as sovereign powers clashed with the idea of nationality. The Constitution was an evasive compromise. Some of its builders, at least, realized that it contained the germs of civil war. In the Dred Scott case the Supreme Court gave Kansas, Nebraska, the Dakotas, Minnesota, Montana, Wyoming, Colorado, Utah, New Mexico, Arizona, Nevada, Idaho, Oregon and Washington to slavery. In the pursuit of the Presidency Douglas endeavored to modify this decision with his doctrine of Squatter Sovereignty. His organization of Kansas and Nebraska as Territories repealed the Missouri Compromise, gave additional power to slavery, and resulted in the Civil War. When that ended the nation was supreme and the sovereignty of the states was dead.

When we consider the nature of war we find that, among other things, it is a school, an immense university wherein events are teachers and armies students. In the Civil War every soldier received a liberal education. His perceptions were quickened, his life was broadened, his vision was increased, and his patriotism was exalted. He found himself part and parcel of the solution of questions of the greatest import to the existence of his government—of any and all government. At the close of the war the soldier stood on a higher plane than the citizen. He felt that in him which the non-combatant never can feel. He had burning within him a superior interest in every great political question. He felt that it appealed to him in a sort of personal sense.

When the soldier returned from the field after an absence of four years he found the old homestead cramped and narrow. Or he found the business of his community monopolized by less patriotic men. He turned to the public lands. He spread over the prairies from the Gulf to the Red River of the North. He settled the hills and valleys and woodlands from Missouri to Puget Sound. He erected states from the public domain, and, to-day, thanks to his genius, patriotism, and enterprise, every foot of land in the United States is included in a self-governing state.

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In the soldiers of the Civil War, in their time and prime, America saw her best citizens, her most enlightened statesmen, her builders of empire. They were moved by a combined and common impulse growing out of the discovery of gold in California and the inspiration of the Civil War—the one a universal impetus and the other a national animation. The one was a mighty propulsion of the other. An enterprise that might have staggered a Forty-niner was feasible and easy to an intelligent and energetic soldier. The California Gold Fever, reinforced by the momentum imparted by the Civil War, produced the men with that supreme capacity that enabled them to reclaim the Great West and stretch it over with iron ways. Such another generation we may never see in America.

Thus we find that the movement generated by the California Gold Fever was mightily accelerated by the Civil War. The events of the Heroic Period of the Oregon Trail resulted from this combination of forces. Standing on the Rocky Mountains or on the shores of the Pacific Ocean, man had new powers. Things which other men and other times said could not be done seemed possible to him. So, we had over this Old Trail the great freighters, the Pony Express, the Overland Stage. Some of these began before the Civil War, and they demonstrated the need of the Pacific Railroad, of which Gilpin had dreamed and talked and written—of which he was the father. In its interest, he, through Benton, endeavored to organize the State of Nebraska (to include Kansas) in 1853.

The construction of the Pacific Railroad destroyed the Oregon Trail as a national highway. And soon other railroads spanned the continent. Now we live in the era of the railroad. Transportation is the blood-circulation of the political body. Webster and even Benton objected to extending our borders to the Pacific. They could not see how so vast a country could become homogeneous, and they feared it would break of its own weight. But for railroads their fears might have been realized. San Francisco is now nearer Boston than was Philadelphia in Franklin's day. By the railroads America is rendered a compact political unity.

The most important questions we shall have to grapple with and solve in the near future arise out of railroad management. These questions concern largely the trans-continental lines—successors of the Old Oregon Trail. This solution we cannot foresee. The tendency now is to socialism and government ownership. These may or may not come. When we decide what shall be done with these lines the problem of railroad management in America will be solved. For the lines of these old trans-continental trails are the lines of American destiny. In support of this position here are some statistical facts.

In 1910 there were in the United States 240,438.84 miles of railroad. Of this amount, 119,237.33 miles were west of the Mississippi River. That is but 1,000 miles short of half the total mileage. The area of the United States, including Alaska, is 3,616,484 square miles. That portion west of the Mississippi contains 2,704,866 square miles. These

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figures make it easy to see where the future railroad building in America will have to be. The Mississippi Valley is the strategic point of the world. In considering the Mississippi Valley and its destiny we must remember that the world is now turned around. Man has ever traveled with the sun. Westward has been the course of empire. In that sense, there is no longer a West. Having come from the East, mankind has ever looked to the East. But now we see the East from the West. Gilpin was the first man who called attention to the fact that politically the Pacific Slope faced Asia. For four hundred years the Atlantic Ocean has been the field of the large operations of the world-powers. But the great centers of human activity are now to be reversed. The crisis developed strangely and unexpectedly in the Spanish-American War. Dewey's guns in Manila Bay opened for us a conflict with the world. That war made it necessary for us to build the Panama Canal. Whether we would or not we must now challenge any and all who cross our path. And whether we would or not we must now battle for the mastery of the Pacific Ocean. There were students and statesmen in the former generation who saw the coming changes and cried them aloud. Chief among these were Gilpin and Benton, but man is slow to see and accept the vast and inevitable changes always in process as the result of inexorable and self-executing laws of nature. The Pacific Ocean and its shores must now become the scenes of the world's chief activities. America now faces west, not east. The Mississippi Valley is now aligned with California and Alaska—not with New England and South Carolina. In ruling America this great valley will exert an increasing influence on the destiny of mankind.

What the centuries may hold for us we do not know. It would seem reasonable for us to expect that our government in some form shall exist for many centuries. Also that our population shall attain such proportions and density as we can not now conceive of. In that future many of the primitive usages and institutions of mankind may have to be revived. As well as the highest, we may have the lowest devices of communication and industry. It is not impossible, nor even improbable, that when we have the railroad with a minimum speed of two hundred miles an hour with more safety than we now have with a velocity of ten miles—when we shall have the flying machine that will in safety cross the continent in a day—we may build again the Old Oregon Trail. For we shall always have with us, as Benton said, those to whom toil is little and time nothing, and who will wish to walk with human feet on God's good solid earth. For them roads so splendid that they will vie with the finest streets may be built from sea to sea.

AUTHORITIES

The best authorities on the subject of the Oregon Trail are the publications of the Government. It is not possible to set out here all those consulted in the preparation of this chapter—space will not permit it. They are to be found in most libraries now, where they are accessible to every student.

Explorations and Surveys for a Railroad Route from the Mississippi River to the Pacific Ocean—War Department. Twelve volumes issued

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by the Government, 1859. There are many valuable maps in this series. Also much about the early explorations.

History of Utah. Four volumes. Orson F. Whitney. Salt Lake City, 1892. Some things of value found in no other work.

History of American Fur Trade of the Far West. Hiram Martin Chittenden. Three volumes, 1902. One of the best authorities.

Early Western Travels—1748-1846. This is the Thawaites series and embraces the works of Wyeth, Townsend, Gregg, and many others. A good work but the notes are sometimes insufficient.

The Overland Stage to California. Frank A. Root and William E. Connelley. Has much valuable information. The text was written by Root. There are many repetitions.

Indian Sketches, by John T. Irving. Two volumes. London, 1835. Takes too long to come to the point, but a reliable authority.

The City of the Saints, by Richard F. Burton. New York, 1862. Good authority. Original, fresh, stirring, strong. Generally accurate, but contains some very ridiculous statements.

Utah and the Mormons, by Benjamin & Ferris, New York, 1856.

Seventy Years on the Frontier, by Alexander Majors. Chicago, 1893. Good authority. The author had a personal acquaintance with Mr. Majors for several years. He was a very conscientious man.

Missions of the North American People, by William Gilpin, Philadelphia, 1873. Also

The Central Gold Region, by the same author. Good authority. Gilpin was the apostle of the West. Benton adopted his views. No other author ever discussed many of the subjects thoroughly treated by Gilpin. He was the first man to recognize fully the resources and destiny of the West. He was a prophet as well as a student, a soldier, a pioneer. The West which he pictured will not be fully attained for another century.

The Pony Express, by William Lightfoot Visscher, Chicago, 1908. Not much in it of original authority. Claims J. H. Keetley was the first Pony Express rider out of St. Joseph.

Pioneer Tales of the Oregon Trail, by Charles Dawson. Confined principally to Jefferson County, Nebraska. A faithful and reliable book.

Oregon and California, by J. Quin Thornton, New York, 1849. Reliable. Valuable. Students wish there were more like it.

The Oregon Trail, by Francis Parkman. Boston, 1875. As an authority on the Oregon Trail it is a failure. The poorest of all the works of Parkman. It is a charming narrative, but not worth reading for information of a substantial kind.

Recollections of an Old Pioneer, by Peter H. Burnett, New York, 1880. One of the best authorities.

Travels in North America, by Charles Augustus Murray. New York, 1839. Good authority.

A History of Oregon, by W. H. Gray. Portland, Oregon, 1870. A reliable work.

Astoria, by Washington Irving. Philadelphia, 1836. One of the best authorities.

Captain Bonneville, by Washington Irving. Good authority, but it is to be regretted that the original Journals and maps were not set out.

Memories of My Life, by John Charles Fremont, Chicago, 1887. It is a loss to history and science that the second volume was never published. There is little to be found on some of the later explorations of Fremont.

I consulted many other authorities, among them the *Kansas Historical Collections,* the publications of the Oregon Historical Society, and those of the Nebraska Historical Society.

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CHAPTER X

INDIANS

The Indian Linguistic families represented in Kansas may be separated into two principal divisions or heads:

1. Native Linguistic Families.
2. Emigrant Linguistic Families.

The Native Linguistic Families were:

1. Algonquian.
2. Caddoan.
3. Kiowan.
4. Shoshonean.
5. Siouan.

The Emigrant Linguistic Families were:

1. Algonquian.
2. Iroquoian.
3. Siouan.
4. Tanoan.

The tribes native to Kansas are enumerated as follows:

Of the Algonquian Linguistic Family:

1. Arapahoe.
2. Cheyenne.

Of the Caddoan Linguistic Family:

1. Pawnee—
   a. Grand Pawnee.
   b. Republican Pawnee.
   c. Tapage Pawnee.
   d. Loup Pawnee.
2. Wichita.

Of the Kiowan Linguistic Family:

1. Kiowa.

Of the Shoshonean Linguistic Family:

1. Comanche.

Of the Siouan Linguistic Family:

1. Kansa.
2. Osage.

The Emigrant tribes of Kansas are enumerated as follows:

Of the Algonquian Linguistic Family:

1. Chippewa.
2. Delaware.

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3. Kaskaskia.
4. Kickapoo.
5. Miami.
6. Munsee.
7. Ottawa.
8. Peoria.
9. Piankishaw.
10. Pottawatomie.
11. Sac and Fox.
12. Shawnee.
13. Stockbridge.
14. Wea.
15. Brotherton.

Of the Iroquoian Linguistic Family:

1. Cayuga.
2. Cherokee.
3. Oneida.
4. Onondaga.
5. Seneca.
6. St. Regis.
7. Tuskarora.
8. Wyandot.

Of the Tanoan Linguistic Family:

1. Tigua of Picuris.

Of the Siouan Linguistic Family:

1. Iowa.
2. Missouri.
3. Otoe.
4. Quapaw.

A brief review of the foregoing will show that there were five native linguistic families in Kansas. The emigrant linguistic families were four in number. Two of these, however, were also native to the soil. One of them—the Siouan—occupied or claimed to own by far the greater part of Kansas at the period when treaty-making began in the West. Of native tribes in Kansas there were eight, belonging to the Algonquian, Caddoan, Kiowan, Shoshonean, and Siouan families. There were twenty-eight emigrant tribes in Kansas. They belonged to the Algonquian, Iroquoian, Tanoan, and Siouan families. In the matter of importance the Kansa, Osage, and Pawnee stood first in the list of native tribes. This arose from the fact that they were treated with for the lands at an early date. Their cession of land to the Government embraced almost all the State. They did not own this land in any proper sense. They had not occupied it, and in the case of the Kansa, had not even hunted over much of it for any great length of time. Other tribes were not called upon to dispute their claims. The Government accepted their word, and, taking account of the consideration paid by

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the United States, the Indians could boast little. In dealing with the Indians our Government was mean and stingy from the first.

It will appear later that a number of the emigrant tribes did not move to Kansas. Some of them had no representative on the lands assigned them in the State. This is especially true of the tribes of the Iroquoian family, and, to a considerable extent, of the Siouan family. In the treatment of the Indian tribes of Kansas they will be considered in their historical importance, and not by linguistic families, as logic might suggest. In this respect the Kansa come first.

The Siouan family is exceptional in that it was the only Indian family moving bodily in a western direction when the interior of America was first known to Europeans. The cause of this movement is not now known. It may have been that the Siouans were forced out of their ancient seat in the regions of the Allegheny Mountains by the Iroquois. Whatever the reason, the tribes of the Siouan family were drifting towards the West when they became known to white men. Their traditions confirmed this westward tendency. Historical conditions also bore out the traditions of this family, for in the Carolinas were still found the Catawbas,—Siouans. Small tribes of the family other than the Catawbas were found in Virginia and North Carolina—and even in Kentucky. Tribes of this family still claimed up the Ohio Valley as far as the Wabash in the period of treaty making. In their westward march the tribes of the Dhegiha group of this family reached the mouth of the Ohio River. There divisions arose in their councils and purposes. One portion desired to go down the Mississippi. The other portion, it seems, thought best to go up that river. No agreement could be reached, and a division of the group occurred, part going up and part going down. This is the conclusion generally accepted, but this division may have arisen from other causes. The people of the group crossed the Mississippi at the mouth of the Ohio and occupied the country directly opposite. In the course of time they may have spread both up and down the Mississippi Valley without any design to form a permanent separation. The old theory is that when the division took place at the mouth of the Ohio, the Quapaw (or Kwapa) were called the down-stream people, from their going down the Mississippi. The other division was then known as the Omaha. Or there was at least an Omahan group. These people were spoken of as the up-stream people, as their name signifies a people pushing upward or traveling against the current. This name may have come from the fact that the group gradually grew and drifted up the Valley of the Mississippi without any design of a permanent separation from the Quapaw group.

The fact remains, however, that such a separation did take place. Whether it was by design or otherwise can not be now certainly said. The group which went up-stream kept to the Missouri Valley when the mouth of that stream was reached. At the mouth of the stream which came to be called the Osage River there seems to have been a long residence of the group. If the tribes of the Dhegiha group had not taken

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form previous to the arrival of the up-stream group at the mouth of the Osage, they developed into tribal individuality there. The Osages started on a slow ascent of the river to which they gave their name. One must understand Indians and their nature to have any conception of how persistent, and at the same time how erratic, an Indian migration is. In such an instance as that of the Osages, it is very rare indeed that there is any prior agreement or understanding or even the recognition of the possibility that the tribe would in the future occupy and live on any particular spot. Chance and conformity to circumstances have always been very great factors in the destination of primal migrations.

In time the up-stream group of Siouans departed from the country about the mouth of the Osage. The Osages ascended the Osage River. The Omahas and Ponkas crossed the Missouri River and went north through what is now the State of Missouri. The Kansas were evidently among the last to leave the family seat at the mouth of the Osage—perhaps the very last. And their progress up the Missouri must have been at about the same pace of the Osages up their river. For there was ever a connection between these two tribes of the Siouans. Not that they were ever and always on terms of amity, for they had their disagreements and even their wars. But they were always closely associated. Their language remained practically the same. Intermarriage of members of these tribes was common well down into historic times. Each tribe was a sort of refuge for the renegades of the other. There are, indeed, those who maintain that the Kansas were a sort of renegade band of the Osages, yielding always a sullen and unsatisfactory allegiance to the discipline of the mother tribe. This may have been true in the early period of the existence of the Kansas, but they became a nation of themselves, so recognized by all the tribes, including the Osages, before they were known to white men.[1]

The course of the Kansas Indians from the historic seat at the mouth of the Osage was up the Missouri, and possibly on both sides of the river. They were far enough in the rear of the Omahan group to not become involved in the traditionary wars between the Pawnee on the one side and the Omahas and Otoes on the other side. This would indicate that they remained for a long time below the mouth of the Kansas River, and that they were the last of the Siouans to leave the mouth of the Osage. There is no evidence whatever that the Kansas Indians left the banks of the Missouri River to establish a residence until after their contact with white people. Their settlement in the valley of the Kansas River is clearly within historic times.

This raises the question of ownership to the country back from the Mississippi and Missouri rivers during the period of migration of the

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[1] The fifteenth Annual Report, Bureau of Ethnology, contains a very excellent article on the migration of the Siouans.

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Siouan people. There is no record. If positive evidence exists it lies concealed in uncovered village sites westward from the two great rivers. But the habitat of the Siouans when first seen by Europeans can be reasonably estimated. De Soto, Coronado, and other Spanish explorers found them on the banks of the Mississippi and the Missouri. It is known that the Caddoan family, with its various tribes, lived immediately back and west of them. If the Siouans displaced any peoples on the west banks of those streams they were Caddoans. And the countries of the Siouans and the Caddoans must have joined. As the Kansas Indians were not in possession of any lands away from the Missouri River even in historic times, the Caddoans must have possessed the country well down all streams toward the Mississippi and the Missouri. And in the days of Coronado the country of the Kansas Indians consisted of a narrow strip on each side of the Missouri from the vicinity of the mouth of the Kansas River to Independence Creek. These were, indeed, the bounds of their country nearly two hundred years later. Their holdings in what is now Kansas were insignificant. The Pawnees, Wichitas, and perhaps other Caddoans owned the plains-country, and their possessions reached to within a few miles of the Missouri, especially in Kansas. The Kansas Indians hunted westward for buffalo, no doubt, but for generations they were intruders, and they were always at war with the Pawnees. It is said [2] that the Kansas were forced up the Kansas River by the Dakota. There may have been pressure on the Kansas by some other Siouan stock, but this is improbable. The more probable cause, however, of the passage of the Kansas up the Kansas River, is that they pressed into the Caddoan (Pawnee) country in pursuit of the receding buffalo. This was made possible for the Kansas by the final gathering of the Pawnees along the Platte. According to John T. Irving, Junior, the Pawnees claimed all the country between the Platte and Kansas rivers as late as 1833, and this claim was supported by the Otoes. It was the cause of the war with the Delawares. Of course the Kansas may have been subject to pressure from tribes to the eastward, and the Sac and Fox, together with the Iowa, did war on them in later years. The migration to the mouth of the Blue might have been in consequence of the hostility of the Sacs and Foxes, but if even so that does not alter the facts as to the ownership of the valley of the Kansas River by the Caddoan stock—the Pawnees—to a comparatively late date in historic times, say 1780. They made claim to it to as late a date as 1842.

There has been much discussion of the probable origin of the name *Kansas* as applied to this tribe of Siouans. It is never safe to accept positive conclusions which admit no possibility of error. They are rarely correct. The theory that the name *Kansas* is derived from any term found in an European language must be rejected as untenable. The word is a genuine Indian term. It is imbedded in the Siouan

[2] Fifteenth Annual Report, Bureau of Ethnology, p. 193; article by McGee.

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tongue far back of historic times. In the Omaha tribe there was a Kansa gens. Its designation was—Wind People. The Omaha was, as has been shown, the mother group, or the up-stream people. In a sense, probably, the Kansas developed tribal identity from the Omahan group of Siouans. It is certain and well settled that the gens or clan organization of the Siouan, and other linguistic families, was perfected long before contact with Europeans. There are Kansas gens in other Siouan tribes than the *Omaha*. *Kansa*, the Siouan form of the word, is so old that its full signification was lost even to the tribes of the

BLACK BIRD. CHIEF OF OMAHAS

Siouan family when they first met white men. It has some reference to wind. Exactly what this reference means there is little hope of ever finding out. In every mention of the word in the Siouan tongue generally, and in all tribal tongues of the family, it bears some reference and application to wind. The fourth gentes in the Kansas tribe is the Kansas gentes. Dorsey calls this the Lodge-in-the-rear, or Last-lodge Gentes. It is separated into two subgentes—first, Wind people, or South-wind people, or Camp-behind-all; second, Small-wind, or Makes-a-breeze-near-the-ground.

The winds had some mystic references to the cross in the Kansas mind—at least in the Siouan mind. The Omahas and Ponkas prayed to the wind and invoked it. In the pipe dance the ceremonial imple-

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ments had drawn on them with green paint a cross indicating the four quarters of the world—the four winds. The Kansas warriors drew out the hearts of their slain enemies and burned them as a sacrifice to these four winds. In 1882 the Kansas still sacrificed and made offerings to all their ancient wakandas—including the four winds. They began with the East Wind, then they turned to the South Wind, then to the West Wind, and then to the North Wind. In ancient times they cut pieces of flesh from their own bodies for these offerings.

The idea or conception that wind was a wakanda or was supernatural seems to lie at the very base of Siouan development. It may have been the first wakanda, being associated with the breath of life. In the Order of the Translucent Stone, of the Omaha tribe, the Wind or Wind Makers were invoked. The four winds were associated with the sun in the ceremonies of raising the sun pole. In the Dakota each of the four quarters of the heaven or winds was counted as three, making twelve—always a sacred number with mankind. Mr. Dorsey asks if there might be any reference to three worlds in this custom—an upper world, our world, a lower world. Or were there three divisions of the wind, or three kinds of wind—that near the earth, that in mid air, and that high and bearing the clouds. The wind gentes of the various Siouan tribes are thus enumerated by Mr. Dorsey:

> The following social divisions are assigned to this category: Kanze, or Wind people, and the Te-da-it'aji, Touch-not-a-buffalo-skull, or Eagle people, of the Omaha tribe; the Cixida and Nikadacna gentes of the Ponka; the Kanze (Wind or South Wind people), Quya (White eagle), Ghost, and perhaps the Large Hanga (Black eagle), among the Kansa; the Kanze (also called the Wind and South Wind people), and perhaps the Hanka Utacantse (Black eagle) gens of the Osage; the Pigeon and Buffalo gentes of the Iowa and the Oto tribes; the Hawk and Momi (Small bird) subgentes of the Missouri tribe; the Eagle and Pigeon and perhaps the Hawk subgens of the Winnebago Bird gens.
>
> Each wind or quarter is reckoned as three by the Dakota and presumably by the Osage, making the four quarters equal to twelve. Can there be any reference here to a belief in three worlds, the one in which we live, an upper world, and a world beneath this one? Or were the winds divided into three classes, those close to the ground, those in mid air, and those very high in the air? The Kansa seem to make some such distinction, judging from the names of the divisions of the Kanze or Wind gens of that tribe.

It would appear to be against reason that a word which runs through all the mysticism of an Indian linguistic family should have any alien origin whatever. It is impossible that such a word should have its origin in any European language. *Kansa* (the Kansas of our day) is an old Siouan word. Its application and use go back to the social organization of the Siouan group. It lies at the foundation of the political systems of various tribes of the Siouan linguistic family. To these uses it had been assigned perhaps many centuries prior to the discovery of America. While the full meaning of the word *Kansa* may never be known, it is established beyond question that it does mean—Wind People, or People of the South Wind. To the Siouans of ancient times

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it probably meant much more, but it did mean Wind people, or People of the South Wind, whatever else it may have included.

So Kansas is the land of the Wind People, or the land of the People of the South Wind, if we look to the aboriginal tongue for its signification.

The Kansas Indians

The Kansas tribe was organized along the general sociological line of North American Indians. It was separated into phratries, gentes or clans, and subgentes. There were seven phratries, sixteen gentes or clans, and probably thirty-two subgentes, though the names of twelve of these subgentes have not been preserved. The gentes are as follows, omitting the Indian names and giving the English equivalents; giving also the subgentes so far as known:

1. Earth, or Earth-lodge-maker.
    1. Large Earth.
    2. Small Earth.
2. Deer, or Osage.
    1. Real Deer.
    2. Eats-no-deer.
3. Ponka.
    1. Ponka People.
    2. Wear-red-cedar-fronds-on-their-heads.
4. Kansa, or Last-lodge.
    1. Wind People, or South-wind People, or Camp-behind-all.
    2. Small Wind, or Makes-a-breeze-near-the-ground.
5. Black Bear.
    1. Real Black Bear, or Eats-raw-food.
    2. Wear-tails-of-hair-on-the-head.
6. Ghost.
    (Subgentes not learned.)
7. Turtle, or Carries-a-turtle-on-his-back.
    (Subgentes not learned.)
8. Sun, or Carries-the-sun-on-his-back.
    (Subgentes not learned.)
9. Elk.
    1. Real Elk.
    2. San-han-ge. (Meaning not known.)
10. White Eagle.
    1. White Eagle People, or Legs-stretched-out-stiff.
    2. Blood People, or Wade-in-blood.
11. Night.
    1. Night People.
    2. Star People, or Walks-shinning.
12. Pipe People, or Holds-the firebrand-to-sacred pipes.
    1. Little-One-like-an-eagle, or Hawk-that-has-a-tail-like-a-king-eagle.
    2. Raccoon People, or Small-lean-raccoon.

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13. Large Hanga, or Stiff deer-tail, or A-black-eagle-with-spots.
    (Subgentes not learned.)
14. Buffalo, or Buffalo-bull, or Big-feet.
    1. Buffalo with dark hair.
    2. Reddish-yellow-buffalo.
15. Peacemaker, or Red-hawk-people.
    (Subgentes not learned.)
16. Thunder, or Thunder-being-people, or Gray-hawk people.
    (Subgentes not learned.)

The phratries of the Kansas are organized as follows:

First Phratry:
1. Earth.
2. Ghost.
3. Elk.

Second Phratry:
1. Deer.
2. Buffalo.
3. Thunder.

Third Phratry:
1. Ponka.
2. Kansa.
3. Black Bear.

Fourth Phratry:
1. Turtle.

Fifth Phratry:
1. Sun.
2. Peacemaker.

Sixth Phratry:
1. White Eagle.
2. Night.

Seventh Phratry:
1. Pipe People.
2. Large Hanga.

The tribal circle of the Kansas is shown here. It is also known as the camping circle. The figures indicate where the gentes camp or live. The tribal circle is divided into two half-circles—or, in fact, the tribe is separated into two divisions or half-tribes. On the right side of the line dividing the tribal circle live the Ictunga half-tribe, composed of clans or gentes, 1, 2, 3, 4, 5, 6, 7, and 8. On the left side of the tribal circle lives the Yata half-tribe, embracing clans or gentes, 9, 10, 11, 12, 13, 14, 15, and 16. It will be observed that the gentes are so placed on the tribal circle that those having odd numbers are opposite one another, and that those having even numbers are opposite one another. No man was permitted to marry a woman of his half-tribe or from his half of the circle. And, for that matter, he was prohibited from marrying any woman related to him by blood even in the remotest degree.

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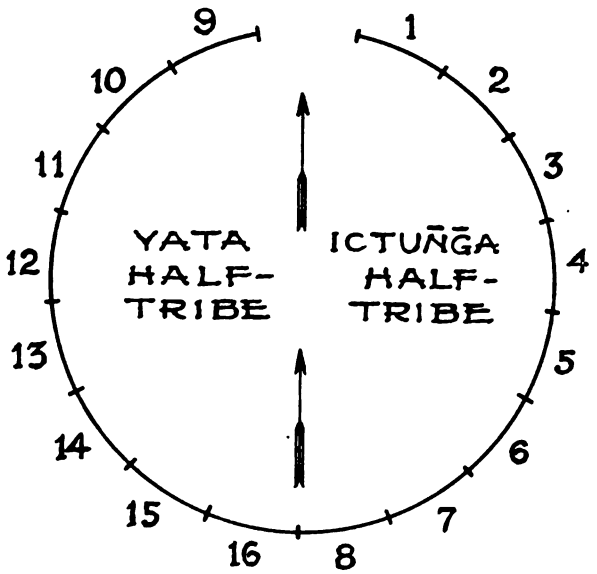
The lot of the woman was a hard one. Those who remained unmarried were menials—slaves. They planted, tended and gathered the crops, did the cooking, brought the wood, and carried the water. Upon the marriage of the eldest daughter, all her sisters became subordinate wives of her husband. She was in control of the lodge, and her mother was subject to her will. If the husband died, she mourned a year, when his eldest brother took her to wife without ceremony, regarding her children as his own. If there was no brother, the widow married whom she pleased.

The social organization of the Kansas conformed in all respects to



KANSA CAMPING CIRCLE

[From Fifteenth Annual Report Bureau of Ethnology]

the religious development of the tribe. Primitive man was always hedged about with fear. He did not know. The earth and its elements had power to harm him. He added to his list of terrors many imaginary monsters lying in wait in rivers, lakes, on mountains, under certain bluffs and hills, in the sky, invisible in the air—every where to injure or destroy him. It was his object to propitiate these awful beings. His religion was one of propitiation rather than of worship. He was much more interested in preventing some power from visiting calamity upon him than in praising some object or influence in hopes of a favor. Ceremonial societies were instituted to induce some god to send the buffalo, to cure some sickness, to make the corn grow, to keep enemies off, to give success in war, and for many other purposes. Certain gentes of the Kansas had certain duties in these ceremonials.

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Their word for a god—and their idea of God was not like that of the Christian—was *wakanda*. Anything might be a wakanda. The great forces of nature were wakandas. Perhaps the sun was a wakanda—*the* Wakanda. Anything which exerted a force which the Kansa did not understand was a wakanda. They believed there were immense horned monsters dwelling under certain bluffs along the Missouri River. The Missouri itself was a wakanda. Their life was centered about this river. Islands in it came to have secret or evil significance. The great island just north of the site of Fort Leavenworth came to have some influence on their religious customs. Perhaps ceremonies were performed there, for they lived about this island for some generations. It is now called Kickapoo Island. It may have been the seat of their religion. It is at this time regarded as one of the sacred villages of the dead. Lewis and Clark landed on it July 2, 1804, and replaced a broken mast. They found it named "Wau-car-da-war-card-da, or Wau-car-ba War-cand-da, the Bear-medicine island." Commenting on this name, Dr. Elliott Coues said:

One word with five hyphens. At first sight it looks like a misprint meant for two forms of one word, as "Wau-card-da." I have been informed that probably it is meant for Wakan'da wakhdhi', (where) "Wakanda was slain"—Wakanda being something named after the Thunder-god. This conjecture is borne out by the translation, "Bear Medicine," showing that there was some mystery or superstition about the place, as anything that an Indian does not understand is "medicine." But Clark's MS. gives occasion for a different reading. His words are: "called by the Indians Wau-car-ba War-cand-da [two words with two hyphens apiece] or the Bear Medisin Island." Here the second word, not the first, is "Wakanda" or "Medicine," and the first word has *b* where the last prints *d*. Lewis' MS. has a similar word not quite the same.

The Kansas had confused and indefinite conceptions of the future life. Mr. Say, of Long's Expedition, secured from members of the tribe information on this point from which he wrote the following:

The lodge in which we reside is larger than any other in the town, and being that of the grand chief, it serves as a council house for the nation. The roof is supported by two series of pillars, or rough vertical posts, forked at the top for the reception of the transverse connecting piece of each series; twelve of these pillars form the outer series, placed in a circle; and eight longer ones, the inner series, also describing a circle; the outer wall, or rude frame-work, placed at a proper distance from the exterior series of pillars, is five or six feet high. Poles, as thick as the leg at the base, rest with their butts upon the wall, extending on the cross-pieces, which are upheld by the pillars of the two series, and are of sufficient length to reach nearly to the summit. These poles are very numerous, and agreeably to the position which we have indicated, they are placed all around in a radiating manner, and support the roof like rafters. Across these are laid long and slender sticks or twigs, attached parallel to each other by means of bark cord; these are covered by mats of long grass or reeds, or with the bark of trees; the whole is then covered completely with earth, which near the ground is banked up to the eaves. A hole is permitted to remain in the middle of the

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roof to give exit to the smoke. Around the walls of the interior a continuous series of mats are suspended; these are of neat workmanship, composed of a soft reed, united by bark cord, in straight or undulated lines, between which lines of black paint sometimes occur. The bedsteads are elevated to the height of a common seat from the ground, and are about six feet wide; they extend in an uninterrupted line around three-fourths of the circumference of the apartment, and are formed in the simplest manner, of numerous sticks or slender pieces of wood, resting at their ends on cross-pieces, which are supported by short notched or forked posts driven into the ground. Bison skins supply them with comfortable bedding. Several medicine or mystic bags are carefully attached to the mats of the wall; these are cylindrical, and neatly bound up. Several reeds are usually placed upon them, and a human scalp serves for their fringe and tassels. Of their contents we know nothing.

The fire-place is a simple, shallow cavity, in the center of the apartment, with an upright and a projecting arm for the support of the culinary apparatus. The latter is very simple in kind and limited in quantity, consisting of a brass kettle, an iron pot, and wooden bowls and spoons. Each person, male as well as female, carries a large knife in the girdle of the breech-cloth, behind, which is used at their meals, and sometimes for self-defense. During our stay with these Indians they ate four or five times each day, invariably supplying us with the best pieces, or choice parts, before they attempted to taste the food themselves.

They commonly placed before us a sort of soup, composed of maize of the present season, of that description which, having undergone a certain preparation, is appropriately named sweet-corn, boiled in water, and enriched with a few slices of bison meat, grease, and some beans, and, to suit it to our palates, it was generally seasoned with rock salt, which is procured near the Arkansas river.

This mixture constituted an agreeable food. It was served up to us in large wooden bowls, which were placed on bison robes or mats, on the ground. As many of us as could conveniently eat from one bowl around it, each in as easy a position as he could contrive, and in common we partook of its contents by means of large spoons made of bison horn. We were sometimes supplied with uncooked dried meat of the bison, also a very agreeable food, and to our taste and reminiscence, far preferable to the flesh of the domestic ox. Another very acceptable dish was called lyed corn. This is maize of the preceding season, shelled from the cob, and first boiled for a short time in a lye of wood ashes until the hard skin which invests the grains is separated from them; the whole is then poured into a basket, which is repeatedly dipped into clean water until the lye and skins are removed; the remainder is then boiled in water until so soft as to be edible. They also make use of maize roasted on the cob, of boiled pumpkins, of muskmelons and watermelons, but the latter are generally pulled from the vine before they are completely ripe.

Ca-ega-wa-tan-ninga, or the Fool Chief, is the hereditary principal chief, but he possesses nothing like monarchical authority, maintaining his distinction only by his bravery and good conduct. There are ten or twelve inferior chieftains, or persons who aspire to such dignity, but these do not appear to command any great respect from the people. Civil as well as military distinction arises from bravery or generosity. Controversies are decided amongst themselves; they do not appeal to their chief, excepting for counsel. They will not marry any of their kindred, however remote. The females, before marriage, labor in the fields, and serve their parents, carry wood and water, and attend to the culinary duties; when the eldest daughter marries, she commands the

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lodge, the mother and all the sisters; the latter are to be also the wives of the same individual. When a young man wishes to marry a particular female, his father gives a feast to a few persons, generally old men, and acquaints them with his design; they repair to the girl, who generally feigns an unwillingness to marry, and urges such reasons as her poverty, youth, etc.—the old men are often obliged to return six or seven times before they can effect their object. When her consent is obtained, the parents of the young man take two or three blankets and some meat to the parents of the female, that they may feast, and immediately return to their lodge. The parents put on the meat to cook, and place the same quantity of meat and merchandise on two horses, and dress their daughter in the best garments they can afford; she mounts one of the horses, and leads the other, and is preceded by a crier, announcing with a loud voice the marriage of the young couple, naming them to the people; in this way she goes to the habitation of her husband, whose parents take from her everything she brings, strip her entirely naked, dress her again in clothes as good as she brought, furnish her with two other horses, with meat and merchandise, and she returns with the crier to her parents. These two horses she retains as her own, together with all the articles she brings back with her. Her parents then make a feast, to which they invite the husband, his parents, and friends; the young couple are seated together, and all then partake of the good cheer, after which the father of the girl makes a harangue, in which he informs the young man that he must now assume the command of the lodge, and of everything belonging to him and his daughter. All the merchandise which the bride returned with is distributed in presents from herself to the kindred of her husband in their first visit. The husband then invites the relatives of his wife to a feast. Whatever peltries the father possesses are at the disposal of the son, to trade with on his own account; and in every respect the parents, in many instances, become subservient to the young man.

After the death of the husband the widow scarifies herself, rubs herself with clay, and becomes negligent of her dress until the expiration of a year, when the eldest brother of the deceased takes her to wife without any ceremony, considers her children as his own, and takes her and them to his house; if the deceased left no brother, she marries whom she pleases. They have in some instances, four or five wives, but these are mostly sisters; if they marry into two families the wives do not harmonize well together, and give the husband much inquietude; there is, however, no restriction in this respect, except in the prudence of the husband. The grandfather and grandmother are very fond of their grandchildren, but these have very little respect for them. The female children respect and obey their parents, but the male are very disobedient, and the more obstinate they are and the less readily they comply with the commands of their parents, the more the latter seem to be pleased, saying, "He will be a brave man, a great warrior—he will not be controlled."

The attachment of fraternity is as strong, if not stronger, than with us. The niece has great deference for the uncle. The female calls her mother's sister mother, and her mother's brother uncle. The male calls his father's brother father, his father's sister aunt, his mother's sister mother, and his mother's brother uncle. Thirteen children have occurred in one family. A woman had three children at a birth; all lived.

The young men are generally coupled out as friends; the tie is very permanent, and continues often through life.

They bear sickness and pain with great fortitude, seldom uttering a complaint; bystanders sympathize with them, and try every means to relieve them. Insanity is unknown; the blind are taken care of by their

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friends and the nation generally, and are well dressed and fed. Drunkenness is rare, and is much ridiculed; a drunken man is said to be bereft of his reason, and is avoided. As to the origin of the nation, their belief is, that the master of life formed a man, and placed him on the earth; he was solitary, and cried to the master of life for a companion, who sent him down a woman; from the union of the two proceeded a son and daughter, who were married, and built themselves a lodge distinct from that of their parents; all the nations proceeded from them, excepting the whites, whose origin they pretend not to know. When a man is killed in battle the thunder is supposed to take him up, they do not know where. In going to battle each man traces an imaginary figure of the thunder on the soil; and he who represents it incorrectly is killed by the thunder. A person saw this thunder one day on the ground, with a beautiful mockasin on each side of it; having much need of a pair, he took them and went his way; but on his return to the same spot the thunder took him off, and he has not been since heard of. They seem to have vague notions of the future state. They think that a brave warrior, or good hunter, will walk in a good path; but a bad man or coward will find a bad path. Thinking the deceased has far to travel, they bury with his body mockasins, some articles of food, etc., to support him on the journey. Many persons, they believe, have become reanimated, who had been, during their apparent death, in strange villages; but as the inhabitants used them ill they returned. They say they have never seen the master of life, and therefore cannot pretend to personify him; but they have often heard him speak in the thunder; they wear often a shell which is in honor, or in representation of him, but they do not pretend that it resembles him, or has anything in common with his form, organization or dimensions.

This nation having been at profound peace with the Osages since the year 1806, have intermarried freely with them, so that in stature, features, and customs, they are more and more closely approaching that people. They are large, and symmetrically well formed, with the usual high cheek-bones, the nose more or less aquiline, color reddish coppery, the hair black and straight. The women are usually homely with broad faces. We saw but a single squaw in the village who had any pretensions to beauty. She was recently married to an enterprising warrior, who invited us to a feast, apparently in order to exhibit his prize to us. The ordinary dress of the men is breech-cloth of blue or red cloth, secured in its place by a girdle; a pair of leggings made of dressed deer-skin, concealing the leg, excepting a small portion of the upper part of the thigh; a pair of mockasins, made of dressed deer, elk, or bison skin, not ornamented, and a blanket to cover the upper part of the body, often thrown over one arm in hot weather, leaving that part naked; or it is even entirely thrown aside. The outer cartilage of the ear is cut through in three places, and upon the rims thus separated various ornaments are suspended, such as wampum, string-beads, silver or tin trinkets, etc. The hair of most of their chiefs and warriors is scrupulously removed from the head, being careful, however, to leave enough, as in honour they are bound to do, to supply their enemy with a scalp in case they should be vanquished. This residuum consists of a portion on the back of the head of about the breadth of the hand, round at its upper termination, near the top of the head, the sides rectilinear, and nearly parallel, though slightly approaching each other towards the origin of the neck, where it abruptly terminates; on the exterior margin, the hair is somewhat longer, and erect. This strip of hair is variously decorated; it is sometimes coloured on the margin with vermilion; sometimes a tail-feather of the war-eagle is attached transversely with respect to the head; this feather is white at base, and black at tip; but the principal ornament,

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which appears to be worn by some of their chief warriors, and which is at the same time by far the most handsome, is the tail of the common deer; this is attached by the base near to the top of the patch of hair, the back of it resting on the hair, and the tip secured near the termination of the patch; the bristly hair of the tail is dyed red by a beautiful permanent color, and parted longitudinally in the middle by a broad silver plate, which is attached at the top, and suffered to hang loose. Many of them are tatooed on different parts of the body. The young boys are entired naked, with the exception of a girdle, generally of cloth, round their protruding abdomen. This part of the body in the children of this nation is remarkably prominent; it is more particularly so when they are young, but gradually subsides as they advance in age. In hot weather the men, whilst in the village, generally use fans with which they cool themselves, when in the shade, and protect their heads from the sun whilst walking out; they are made of the wing or tail of the turkey. The women rarely use them. The dress of the female is composed of a pair of mockasins, leggins of blue or red cloth, with a broad projecting border on the outside, and covering the leg to the knees or a little above; many, however, and perhaps almost a majority of them, do not in common wear this part of the dress. Around the waist, secured by a belt or cestus, is wrapped a piece of blue cloth, the sides of which meet, or come nearly in contact on the outside of the right thigh, and the whole extends downward as far as the knee, or to the mid-leg; around the left shoulder is a similar piece of cloth, which is attached by two of the corners, at the axilla of the right arm, and extends downward as far as the waist. This garment is often laid aside, when the body from the waist upwards is entirely exposed. Their hair is suffered to grow long; it is parted longitudinally on the top of the head, and flows over the shoulders, the line of separation being colored with vermilion. The females like those of other aborigines, cultivate the maize, beans, pumpkins and watermelons, gather and prepare the two former, when ripe, and pack them away in skins, or in mats for keeping; prepare the flesh of the bison, by drying, for preservation; attend to all the cooking; bring wood and water; and in other respects manage domestic concerns, and appear to have over them absolute sway. These duties, as far as we could observe, they not only willingly performed as a mere matter of duty, but they exhibited in their deportment a degree of pride and ambition to acquit themselves well; in this respect resembling a good housewife among the civilized fair. Many of them are tatooed.

Both sexes, of all ages, bathe frequently, and enter the water indiscriminately. The infant is washed in cold water soon after its birth, and the ablution is frequently repeated; the mother also bathes with the same fluid soon after delivery. The infant is tied down to a board, after the manner of many of the Indian tribes.

The chastity of the young females is guarded by the mother with the most scrupulous watchfulness, and a violation of it is a rare occurrence, as it renders the individual unfit for the wife of a chief, a brave warrior, or good hunter. To wed her daughter to one of these, each mother is solicitous; as these qualifications offer the same attractions to the Indian mother as family and fortune exhibit to the civilized parent. In the nation, however, are several courtesans; and during our evening walks we were sure to meet with respectable Indians who thought pimping no disgrace. Sodomy is a crime not uncommonly committed; many of the subjects of it are publicly known, and do not appear to be despised, or to excite disgust; one of them was pointed out to us; he had submitted himself to it, in consequence of a vow he had made to his mystic medicine, which obliged him to change his dress for that of a

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squaw, to do their work, and to permit his hair to grow. The men carefully pluck from their chins, axilla of the arms, eyebrows, and pubis, every hair or beard that presents itself; this done with a spiral wire, which, when used, is placed with the side upon the part, and the ends are pressed towards each other so as to close upon the hairs, which can then be readily drawn out.

Rev. J. Owen Dorsey found that the soul of a Kansas went at death to that spirit village nearest him at the time. These spirit villages changed location with the Kansas migrations. The last ones begin at Council Grove. Then there are spirit villages along the Kansas River at the sites of the old towns where they had dwelt on that stream. And on the Missouri their old village-sites from Independence Creek to the mouth of the Osage are now spirit villages to which the souls of the Kansa go to live after death.

The orthography of the word *Kansa,* or *Kansas,* has passed through many modifications. This has not been caused by any change in the word itself, for the word is very little different in sound from what it was in prehistoric times. The Siouans generally pronounced the word as indicated by our manner of writing it—Kansa, or Kä-sa. The Kansas tribe so spoke it. The American has changed the a in the first syllable from the Italian to the short a. The Indian form of pronunciation was sometimes distorted by the early traders, especially the French traders. They made the *a* to have the sound of *au* or *aw* as in *haul* or in *awl.* From this corruption came the *Kau* in the later spellings. The word has been also variously written, and the early explorers were apt to begin with a *C* rather than with a *K.* Indeed, it was sometimes commenced with *Qu.* So, it is found as Kansa, Kansas, Kantha, Kances, Kansies, Kanzas, Konza, Kausa, Kausas, Kauza, Kauzas, Causa, Cansas, Cances, Canceys, and in perhaps a hundred other forms. The form *Kau,* or *Kaw,* was an abbreviation of the name, originating with the French traders and spreading abroad to all having dealings with the tribe. Pike wrote the name *Kans.* This was not intended by him for an abbreviation, and it is the belief of this author that an examination of his original manuscript would reveal the fact that he actually wrote it *Kaus.* The mistake was made by the printer.

In pronouncing his own name—that is, the name of his own tribe—the Kansas Indian did not distinctly sound the *n* in the first syllable. As in many others of his words, and even in words in many tribes of different linguistic families, the *n* was not a separate sound, but rather a nasalized prolonged termination of the syllable. This form of terminating a syllable is common to many Indian languages. This nasalized termination is the merest approximation of the *n* sound. It is often written (and printed in the works of scholars) as in a coefficient term in mathematics—as Ka^{n}-s^{a}. And the Kansas Indian usually pronounced the word Kä-za, or Kau-za, with the modification above noted. In many of the old books it is printed Kau-zau, following closely the native form of pronunciation. But, as said, there is the approximation to the *n* sound, and it is fortunate that the sound was retained

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and strengthened to an equality with the other sounds in the word. *Kansas,* as now accepted, written, and spoken, is one of the most beautiful Indian words adapted to use in the English tongue. As a name for a state it is unequaled.

The earliest map locating the Kansas Indians is that of Marquette, in 1673. Marquette did not visit the Missouri River country, but made his maps from information drawn from Indians, or perhaps adventurers who had wandered far from the feeble settlements. This map shows the Kansas tribe west of the Missouri, very nearly where it was then in fact located. All the early maps of the interior of North America are necessarily erroneous. Their locations of physical features and Indian tribes are invariably wrong. But their approximations are valuable.[3]

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[3] The editors of Volume X, *Kansas Historical Collections,* made a compilation of the old maps showing the locations of the Kansas Indians. The work was carefully done, and it was printed as a footnote on pages 344, 345 of that work. It is set out below:

"The earliest map pointing out the location of the Kansa nation was that of Marquette, 1673, and described locations as found by that intrepid missionary explorer and his companion, Joliet. On it the Kansa were placed west of the Osages and Southwest of the Panis. Marquette did not visit them, nor any tribe west of the Mississippi, but had information from well-informed Indians who stood by while he made the map. At this time the Kansa were probably on the Missouri river in about the location where visited Bourgmont fifty years later.

"Parkman's map No. 5, in Harvard College Library. 'La Manitoumie, 1672-73,' shows the Kanissi south of the Missouri river and between the Missouri and Paniassa. (Winsor's Narrative History of America, vol. 4, p. 221.)

"Joliet's map 1674, shows the Kansa southeast of the Osages and Pani. (Thwaites' Jesuit Relations, vol. 59, p. 86.)

"Franquelin's map of Louisiana, 1679-1682, shows the Cansa on the Emissourittes river above the mouth of the Kansa river. (Margry, vol. 3; Thwaites' Jesuit Relations, vol. 63, p. 1.)

"Thevenot's map of Louisiana, 1681, locates the Kemissi south of the Missouri and northwest of the Autre Chaha (Osage) and toward the Panissi.

"De 'Lisle's map of Louisiana, 1718, shows the Grande Rivere des Cansez and a village far out on that stream at the mouth of the second large tributary from the northwest, near the country of the Padoucas. It also shows a village of Les Cansez on the Missouri river, south side, near the mouth of a creek (Independence). (In French's Louisiana, part 2.)

"D'Anville's map of Louisiana, 1732, locates the Kanza village at the mouth of Petite river des Kansez. This was the Grand village at the mouth of Independence creek. This map also shows the River des Padoucas et Kansez and a village of the Paniouassas on a northern branch. (Photo map.)

"Bellin's map of Louisiana, 1744, marks the Pays des Canses (country of the Kansa) extending from the Missouri river almost to the mountains, being quite a part of the present states of Missouri, Kansas and southern Nebraska. The Canses village is placed at the mouth of the second large tributary of the Kansas river from its junction with

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On previous pages of this work will be found much concerning the early location and history of the Kansas Indians. For that reason it is not deemed necessary here to write an exhaustive review of the tribe in its earliest connection with white men. In the time of Coronado the Kansas probably lived near the mouth of the Kansas River. There may have been villages of the tribe below and above the Kansas, and even on the east side of the Missouri in that vicinity. There is a very ancient village site on the farm of William Malott, a mile or perhaps a little more, northeast of White Church in Wyandotte County. George U. S. Hovey made a collection of several hundred arrowheads, and other weapons and implements from that site. The village was evidently a large one, and occupied for a long period. It was most probably an old Kansas town.

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the Missouri. It shows also the Petite river des Canses (the Little River of the Kansa). (Shea's Charlevoix History of New France, vol. 6, p. 11.)

"Sieur le Rouge's map, 1746, shows River des Canses correctly, and the Canses villages on the Kansas river, quite a way from its mouth.

"Vangundy's map of North America, 1798, gives Les Canses on their river, and gives the Pays des Canses as extensive as that of other great Indian nations, or from the mountains to the Missouri river, over most of the present state of Kansas. (Winsor's Miss. Basin, p. 205.)

"Le Page Du Pratz's map of Louisiana, 1757, with course of the Mississippi and tributaries, shows the river of the Cansez with the location of a Cansez village up that stream about sixty or seventy miles. It also shows the Grand village Cansez on the Missouri river quite a distance above the mouth of the Cansez river. This shows that they were again living on both streams, with permanent villages, as shown by De 'Lisle's map of 1718. (Photo map.)

"Dunn's map, 1774, Source of Mississippi river, shows Kanzes at mouth of a tributary to the Missouri river. This was doubtless the old Grand village at the mouth of Independence creek. This copy of Dunn's map does not show the whole course of the Kansas river, omitting a village at the mouth of the Blue and would indicate that as late as 1774 they were still occupying the above-described Grand village. (Winsor's Westward Movement, page 214.)

"Carver's map of North America, 1778, shows Kansez on the south side of the Missouri, northwest of the Osages. This is about the last map showing them lingering by the Missouri river. After this they seem to have entirely established themselves on their own old river, the Kansas. (Winsor's Westward Movement, page 104.)

"French map of date prior to 1800, used by Lewis and Clark, 1804, marks the junction of Kances river, upon which the Kansa nation lived at that time. (Map No. 1, Thwaites' Lewis and Clark.)

"Spanish map about 1800, used by Lewis and Clark, Map No. 2, shows Kansez river with a village of Kansez Indians on its north bank east of the junction with the Blue.

"Pike's map, 1806, gives Kanses on the river of that name. (Coues' edition.)

"Long's map of the West, 1819, shows Konzas village at the mouth of Blue Earth river, near the bank of the Konzas river. It also shows the site of the Old Konzas village on the Missouri river at the mouth of Independence creek, which had been abandoned by the nation many years before."

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On July 2, 1804, Lewis and Clark made the following entry:

Opposite our camp is a valley, in which was situated an old village of the Kansas, between two high points of land, on the bank of the river. About a mile in the rear of the village was a small fort, built by the French on an elevation. There are now no traces of the village, but the situation of the fort may be recognized by some remains of chimneys, and the general outlines of the fortification, as well as by the fine spring which supplied it with water. The party who were stationed here were probably cut off by the Indians, as there are no accounts of them.

In an article on the "Kansa or Kaw Indians," Volume X, *Kansas Historical Collections*, George P. Morehouse quotes Bougainville on French Forts, who said in 1757:

Kansas.—In ascending this stream [the Missouri River] we meet the village of the Kansas. We have there a garrison with a commandant, appointed, as in the case with Pimiteoui and Fort Chartres by New Orleans. This post produces one hundred bundles of furs.

This old village found abandoned by Lewis and Clark had no doubt grown up around the French fort. And this French post was certainly the first settlement and trading-station ever set up in what is now Kansas by the white people. It was established after the visit by Bourgmont, in 1724, and was in a flourishing condition in 1757.

It has already been noted that the Kansas Indians could not have been Escanjaques. At the period when the Spaniards came in contact with the Escanjaques on the Arkansas, the Kansas were evidently living in towns along the Missouri, principally above the mouth of the Kansas River. They did not then own or claim much of the valley of the Kansas—perhaps they did not claim west of what is now Wyandotte County. Their country joined, on the south, that of the Osages, always a much more numerous people than the Kansa.

The Pawnees were the hereditary enemies of the Kansas. There is every reason to believe that the Pawnee country extended to within fifteen to twenty miles of the Missouri above the mouth of the Kansas. Also, that in what is now Doniphan County, Kansas, the Pawnee country reached the Missouri, extending along the west bank of the stream well into Nebraska. The Kansas were never able to break through this Pawnee wedge driven into the Siouan territory, and when the Pawnee pressure on the west was lessened, the Kansas abandoned their northward migration and ascended the Kansas River. Their greatest height on this stream was the mouth of the Big Blue. There is no creditable evidence that they ever had a village westward beyond the Blue. They hunted the buffalo far to the west of that point, but fear of the Pawnees made them bear to the south, throwing them to the Arkansas beyond the present Hutchinson. They were not unmolested even there, for the Pawnees claimed all that country and hunted over it.

The following is taken from Vial's Journal of his trip from Santa Fe to St. Louis. While the Kansas Indians he was captured by were

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hunting on the Upper Arkansas, they were out of their own country and in that claimed by the Pawnees—in possession of the Pawnees.

June 29, 1792. We left in the morning at daybreak along the said river, which flowed northeast. We found some buffaloes which the Indians had killed, and we believed that they were of the tribe of the Guachaches, who were hunting through that region. We went to find them, since I know they are well inclined to the government of the Province of Louisiana. We found them about four in the afternoon in their hunting camp on the said shore of the Napeste River. As

WAH-SHUN-GAH, CHIEF OF THE KAWS

[From Photograph Owned by William E. Connelley]

they approached us on the opposite side with river between us, we fired some shots into the air, to get them to see us. They immediately set out and came to stop us on the other side. Those who first met us grasped us cordially by the hand. I asked them of what tribe they were, and they told me they were Cances. They immediately took possession of our horses, and of all our possessions and cut the clothes which we wore with their knives, thus leaving us totally naked. They were of a mind to kill us, whereupon some of them cried out to those who were about to do it, not to kill us with guns or arrows because of the great risk that would be run of killing one another as they had surrounded us; but that if they killed us it should be by hatchet blows or by spears. One highly esteemed among them took up

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our defense, begging all of them to leave us alive. Thereupon another highly respected one came and taking me by the hand made me mount his own horse with him. Then another one came up behind and hurled a spear at me, but the one who had me on his horse restrained him by laying hold of him, leaving me alone on the horse. A crowd of them even coming to kill me from behind, his brother mounted behind me. Then one of them, who had been a servant in the village of San Luis de Ylinneses and who talked excellent French, came up to me, and recognized me. He began to cry out: "Do not kill him. We shall ascertain whence he is coming, for I know him." Taking the reins of my horse, he took me to his tent and said to me: "Friend, now your Grace must hurry if you wish to save your life, for among us it is the custom and law that after having eaten no one is killed." After having eaten hastily as he charged me, they left me quiet, and the chiefs having assembled after a moment came to me and asked me whence I was coming. I told them I was coming to open a road from Santa Fe to Los Ylinneses, having been sent by the Great Chief, their Spanish Father, and that I had letters for the Spanish Chief at Los Ylinnese. Thereupon they left me in quiet until the following day. My two companions did not fail to run the same danger as myself, but they have also been saved by other Indians who were well inclined. On the following day they joined me, both naked. But the one called Vicente Villanueva had his horse cut and a dagger thrust in the abdomen which would have proved fatal had he not shrunk away when the blow was delivered. An Indian, who wished to save him received all the force of the blow on his arm and was quite badly wounded. They kept us naked among them in the said camp until the fifteenth of August.

The Kansas town erected at the mouth of the Big Blue was established after Bourgmont's visit to the tribes at the mouth of Independence Creek. The exact date can not now be fixed. It was probably about 1780. Lewis and Clark found their abandoned villages on the Missouri and their towns were then on the Kansas. One town was twenty leagues up this river, and the other twice that distance. The entry runs to this effect: "This river (the Kansas) receives its name from a nation which dwells at this time on its banks, and has two villages one about twenty leagues, and the other forty leagues up." The location of the first village is not now certainly known, but it must have been near the present site of Topeka. There was a Kansas town immediately west of the present North Topeka at different periods after the expedition of Lewis and Clark. The upper village was at the mouth of the Big Blue. It was in Pottawatomie County between the Blue and the Kansas rivers, on a neck of land formed by the parallel courses of the two streams, and about two miles east of Manhattan. This became the sole residence of the Kansa before 1806, for in that year Captains Lewis and Clark, Doctor Sibley and Mr. Dunbar, made an exploration to discover the conditions of the Western Indians. The lower village had been abandoned and the inference is that the inhabitants had moved to the town at the mouth of the Blue. The entry on this subject is "Eighty-leagues up the Kansas River, on the north side." And the report says they all lived in this one village. They furnished the traders with the skins of deer, beaver, black bear, otter (a few), and raccoon (a few). Also buffalo robes and buffalo tallow. This fur product brought the tribe about five thousand dollars

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annually in goods sent up from St. Louis. The general remarks on the Kansas made at that time by the explorers Lewis, Clark and others are of interest.

The limits of the country they claim is not known. The country in which they reside, and from thence to the Missouri, is a delightful one, and generally well watered and covered with excellent timber: they hunt on the upper part of Kanzas and Arkanzas rivers: Their trade may be expected to increase with proper management. At present they are a dissolute, lawless banditti; frequently plunder their traders, and commit depredations on persons ascending and descending the Missouri river: population rather increasing. These people, as well as the Great and Little Osages, are stationary, at their villages, from about the 15th of March to the 15th of May, and again from the 15th of August to the 15th of October: the balance of the year is appropriated to hunting. They cultivate corn, &c.

The town at the mouth of the Blue was partly depopulated about 1827. In that year an Agency for the Kansas Indians was established on Allotment No. 23, to Kansas half-breeds, on the north bank of the Kansas River, in what is now Jefferson County. At least, it was intended to build the Agency on that Allotment. It was in fact so near the east line of the tract that some of the buildings were on section 33, township 11, range 19, and on section 4, township 12, range 19, most of them on section 4, as was determined when the state was surveyed. This town was south of the station of Williamstown, on the Union Pacific Railway. There was a blacksmith and a farmer appointed for the Indians of the Agency, and these lived there. The farmer was Col. Daniel Morgan Boone, son of the great pioneer. Napoleon Boone, son of Col. D. M. Boone, was born there August 22, 1828, supposed to have been the first white child born in what was to become Kansas. The chief, Plume Blanche, White Plume, or Wampawara, was at the head of the village. Frederick Chouteau was the Indian trader. He had his trading-house on the south side of the river, on Horseshoe Lake, now Lakeview. It was at this Agency that Captain Bonneville crossed the Kansas River on his journey to the Rocky Mountains (1832). Marston G. Clark was U. S. Sub-Indian Agent there. The Captain spent the night with Chief White Plume, whom he found living in a substantial stone home, which had been erected for him by the Government. It is scarcely probable that all the Kansas Indians were gathered about this Agency. No doubt there were other villages up the Kansas River at that time. Some of the annuity payments provided for in the treaty when the great cession was concluded were made at this agency. The first was made at a trading-house near the mouth of the Kansas River, in what is now Wyandotte County. White Plume discovered in some way that his residence was over the line on the Delaware lands. While there would never have been any objection to this mistake or oversight of the white men who located the Agency buildings, White Plume was too proud to live on the land of another tribe. He abandoned his house and moved up the Kansas River. His house stood northwest of the Agency, and north of where the railroad station of Williamstown

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was located. Long before he moved his house had become uninhabitable, most of the woodwork having been torn out and used for fuel. It was alive with vermin.[4]

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[4] The following notes, from Vol. IX, pp. 194-196, *Kansas Historical Collections,* are of interest here.

"Regarding the situation of the first Kaw agency, Daniel Boone, a son of Daniel Morgan Boone, government farmer of the Kaws, says in a letter to Mr. W. W. Cone, dated Westport, Mo., August 11, 1879: 'Fred Chouteau's brother established his trading-post across the river from my father's residence the same fall we moved to the agency, in the year 1827. The land reserved for the half-breeds belonged to the Kaws. The agency was nearly on the line inside of the Delaware land, and we lived half-mile east of this line, on the river.'

"Survey 23, the property of Joseph James, was the most easterly of the Kaw half-breed lands. The first Delaware land on the Kansas river east of this survey is section 4, township 12, range 19 east; hence the site of the old agency. August 16, 1879, Mr. Cone and Judge Adams, piloted by Thos. R. Bayne, owner of survey No. 23, visited the site of the agency. In the *Topeka Weekly Capital* of August 27, Mr. Cone says: 'We noticed on the east of the dividing line, over on the Delaware land, the remains of about a dozen chimneys, although Mr. Bayne says there were at least twenty when he came there, in 1854.'

"John C. McCoy, in a letter to Mr. Cone, dated August, 1879, says: 'I first entered the territory August 15, 1830. . . . At the point described in your sketch, on the north bank of the Kansas river, seven or eight miles above Lawrence, was situated the Kansas agency. I recollect the following persons and families living there at that date, viz.: Marston G. Clark, United States sub-Indian agent, no family; Daniel M. Boone, Indian farmer, and family; Clement Lessert, interpreter, family, half-breeds; Gabriel Phillibert, government blacksmith, and family (whites); Joe Jim, Gonvil, and perhaps other half-breed families. . . . In your sketch published in the *Capital* you speak of the stone house or chimney, about two miles northwest of the Kansas agency. That was a stone building built by the government for White Plume, head chief of the Kanzans, in 1827 or 1828. There was also a large field fenced and broken in the prairie adjoining toward the east or southeast. We passed up by it in 1830, and found the gallant old chieftain sitting in state, rigged out in a profusion of feathers, paint, wampum, brass armlets, etc., at the door of a lodge he had erected a hundred yards or so to the northwest of his stone mansion, and in honor of our expected arrival the stars and stripes were gracefully floating in the breeze on a tall pole over him. He was large, fine-looking, and inclined to corpulency, and received my father with the grace and dignity of a real live potentate, and graciously signified his willingness to accept of any amount of bacon and other presents we might be disposed to tender him. In answer to an inquiry as to the reasons that induced him to abandon his princely mansion, his laconic explanation was simply "too much fleas." A hasty examination I made of the house justified the wisdom of his removal. It was not only alive with fleas, but the floors, doors and windows had disappeared and even the casings had been pretty well used up for kindling-wood.'

"Mr. Cone gives the following description of White Plume's stone house in his *Capital* article of August 27, 1879: 'Mr. Bayne showed us a pile of stone as all that was left of that well-known landmark for old settlers, the "stone chimney." It was located fifty yards north of the present depot at Williamstown, or Rural, as it is now called. Mr.

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When White Plume moved from the Agency the other Indians followed him. It was found unprofitable to maintain the Agency, and it was abandoned after 1832. The remainder of the population of the town at

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Bayne, in a letter dated August 12, says: The old stone chimney, or stone house to which you refer, stood on the southwest quarter of section 29, range 19, when I came here, in 1854. It was standing intact, except the roof and floors, which had been burnt. It was about 18x34, and two stories high. There was a well near it walled up with cut stone, and a very excellent job.' ''

John T. Irving's account of his visit to this village throws light on the character of the Indians, especially White Plume.

''We emerged from the wood, and I found myself again near the bank of the Kansas river. Before me was a large house, with a court-yard in front. I sprang with joy through the unhung gate, and ran to the door. It was open; I shouted: my voice echoed through the rooms; but there was no answer. I walked in; the doors of the inner chambers were swinging from their hinges and long grass was growing through the crevices of the floor. While I stood gazing around an owl flitted by, and dashed out of an unglazed window; again I shouted; but there was no answer; the place was desolate and deserted. I afterwards learned that this house had been built for the residence of the chief of the Kanza tribe, but that the ground upon which it was situated having been discovered to be within a tract granted to some other tribe, the chief had deserted it, and it had been allowed to fall to ruin. My guide waited patiently until I finished my examination, and then again we pressed forward. . . . We kept on until near daylight, when we emerged from a thick forest and came suddenly upon a small hamlet. The barking of several dogs, which came flying out to meet us, convinced me that this time I was not mistaken. A light was shining through the crevices of a log cabin; I knocked at the door with a violence that might have awakened one of the seven sleepers. 'Who dare—and vot de devil you vant?' screamed a little cracked voice from within. It sounded like music to me. I stated my troubles. The door was opened; a head garnished with a red nightcap was thrust out, after a little parley, I was admitted into the bedroom of a man, his Indian squaw and a host of children. As however, it was the only room in the house, it was also the kitchen. I had gone so long without food that, notwithstanding what I had eaten, the gnawings of hunger were excessive, and I had no sooner mentioned my wants, than a fire was kindled, and in ten minutes a meal (don't exactly know whether to call it breakfast, dinner or supper) of hot cakes, venison, honey and coffee was placed before me and disappeared with the rapidity of lightning. The squaw, having seen me fairly started, returned to her couch. From the owner of the cabin I learned that I was now at the Kanza agency, and that he was the blacksmith of the place. About sunrise I was awakened from a sound sleep, upon a bearskin, by a violent knocking at the door. It was my Indian guide. He threw out broad hints respecting the service he had rendered me and the presents he deserved. That I could not deny: but I had nothing to give. I soon found out, however, that his wants were moderate, and that a small present of powder would satisfy him; so I filled his horn, and he left the cabin apparently well pleased. In a short time I left the house, and met the Kanza agent, General Clark, a tall, thin, soldier-like man, arrayed in an Indian hunting-shirt and an old fox-skin cap. He received me cordially, and I remained with him all day, during which time he talked upon metaphysics, discussed politics, and fed me upon sweet potatoes.''

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the mouth of the Blue had moved down the Kansas River by the year 1830. They had established three villages under the government of as many chiefs. Hard Chief had fixed his village, in 1830, about a mile above the mouth of what is now known as Mission Creek, on the south side of the river, from which his people carried their water. He had more than five hundred followers in his town. The American Chief's village was on American Chief Creek (now called Mission Creek). It was some two miles from the Kansas River, and on the creek bottom. The town consisted of twenty lodges and about one hundred Indians. This village was also established in 1830.[5] They were built because Frederick Chouteau had told American Chief and Hard Chief that he would build a trading-house on the creek which he named American Chief Creek, for the chief who established his village on its banks. He did move there in 1830, and he and these two villages remained there until the removal of the tribe to the reservation at Council Grove. The other village established by the inhabitants of the town at the mouth of the Blue was that of Fool Chief. It was the largest, containing more than seven hundred people. It was on the north side of the river about a mile west of Papan's Ferry. The location of this town must be determined by that of the ferry at that time, something difficult to do. The town is said to have been immediately north of the present town of Menoken. That would have put it inside the bounds of the lands belonging to the tribe. White Plume must have settled near the town of the Fool Chief when he moved up from the Agency. But there was another Kansas Village. Little is known of it, and its location is not clear. The only information concerning it is given by Fremont, in 1842, as follows:

> The morning of the 18th, [of June] was very pleasant. A fine rain was falling, with cold wind from the north, and mists made the river hills look dark and gloomy. We left our camp at seven, journeying along the foot of the hills which border the Kansas valley, generally about three miles wide, and extremely rich. We halted for dinner, after a march of about thirteen miles, on the banks of one of the many little tributaries to the Kansas, which look like trenches in the prairies, and are usually well timbered. After crossing this stream, I rode off some miles to the left, attracted by the appearance of a cluster of huts near the mouth of the Vermillion. It was a large but deserted Kansas village, scattered in an open wood, along the margin of the stream, on a spot chosen with the customary Indian fondness for beauty of scenery. The Pawnees had attacked it in the early spring. Some of the houses were burnt, and others blackened with smoke, and weeds were already getting possession of the cleared places. Riding up the Vermillion river, I reached the ford in time to meet the carts, and, crossing, encamped on its western side.

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[5] This is stated from what Frederick Chouteau told Judge F. C. Adams. See Vol. I, *Kansas Historical Collections*, page 287.

In a letter of Mr. Chouteau to W. W. Cone, May 5, 1880, he fixes the date as 1832. See *Kansas Historical Collections*, Vol. IX, page 196, note 54. These statements are incorrect. Captain Bonneville found the Agency there in May, 1832.

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On Fremont's map this village is found to be on the Little Vermilion, a creek he delineates. But there is no such stream—and there never was. In what is now Pottawatomie County there is a Vermilion Creek. The Oregon Trail crossed it on what the official survey made section 24, township 9, range 10, two and one-half miles east of the present town of Louisville. There is where Fremont camped. From that point the Oregon Trail bore away from the Kansas River starting over the uplands for the Blue River. The Indian town was on the Vermilion below the crossing. Long's detachment to visit the village at the mouth of the Blue crossed the Vermilion. This crossing was on the Indian trail which led up the Kansas River. This village was probably where the Indian trail crossed the Vermilion. Its inhabitants no doubt fled to the lower towns when driven out by the Pawnees.

There is a question as to when the missionaries turned attention to the Kansas Indians. At the Conference of the Methodist Episcopal Church held at St. Louis, Mo., in 1830, Rev. Thomas Johnson was appointed a missionary to the Shawnees, and his brother, Rev. William Johnson, was appointed missionary to the Kansas Indians. Rev. William Johnson seems to have gone at once to the tribe to which he was appointed. According to one statement of Frederick Chouteau the Kansas Agency in what is now Jefferson County was maintained until 1830; and by another statement he fixed the date at 1832. If the Agency was kept up until 1832, Mr. Johnson spent the first two years of his missionary life there. If Mr. Chouteau moved his trading-house to Mission Creek, in Shawnee County, in 1830, then it was there that Mr. Johnson began his missionary labors. The probability is that it was at the more western location that he established the first Kansas Indian Mission, in 1830. In 1832 he was sent as missionary to the Delawares, where he remained about two years. He received then his second appointment to the Kansas Indian Mission, in 1834. He arrived on Mission Creek at the Kansas towns early in the summer, and began work on the mission buildings. These were erected on the northwest corner of section 33, township 11, range 14 east. The principal building was a hewed-log house thirty-six feet long and eighteen feet wide. It was a two-story structure, having four rooms—two below and two above. There was a huge stone chimney at each end. The kitchen was of logs, and apart from the house. There was a smoke-house and other building.

William Johnson labored at this mission until April, 1842, when he died. He accomplished little, and his hard work bore little fruit in the savage minds and hearts of the Kansas Indians. They could not be prevailed on to labor for their own support. They would not plant and cultivate corn and other grains, nor raise cattle. They went into the settlements by the hundred to beg. Rev. Thomas Johnson, brother to the missionary William, on his way to the Kansas Mission in May, 1837, met four hundred to five hundred of these Indians on their way to the Missouri settlements to beg.

In 1844 the widow of William Johnson was married to Rev. J. T. Peery, who was in that year sent to continue the work of Christianizing

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the Kansas Indians. Nothing of account was accomplished, and the school was discontinued. In 1846 the Kansas Indians were given a reservation at Council Grove. They soon removed to their new home. In 1850 the Methodist Episcopal Church, South, put up, at Council Grove, what was the best mission building ever erected in Kansas. It was built by Rev. T. S. Huffaker, who was long connected with the Kansas tribe. It still stands, the finest specimen of the buildings of its time, quaint, massive, silent, a splendid monument to the fine spirit of the Church which labored long, zealously, but in vain to make Christians of intractable savages.

In 1851, Mr. Huffaker opened his school. As few or no Indian children would attend, he admitted the children of white settlers, employees of the commerce which rolled over the Santa Fe Trail. It was one of the first schools in Kansas to receive white children. In after years Mr. Huffaker was constrained to admit that all attempts to educate the Kansas Indian children had failed. And these Indians never gave any serious attention the Christian religion.

The Kansas Indians ceded to the United States an immense territory. They did not own so vast a tract. They never had possessed it. Much of it they had never even hunted over. It is very doubtful whether they even claimed some of the land they sold. The Government wished to extinguish the Indian title. Having purchased it from the Kansas Indians, no other tribe could set up a claim.

At St. Louis, on the 3d of June, 1825, the Kansas Indians ceded, by treaty of that date, the tract or territory described as follows:

Beginning at the entrance of the Kansas river into the Missouri; thence North to the North-West corner of the State of Missouri; from thence Westwardly to the Nodewa river, thirty miles from its entrance into the Missouri; from thence to the entrance of the big Nemahaw into the Missouri, and with that river to its source; from thence to the source of the Kansas river, leaving the old village Panai Republic to the West; from thence, on the ridge dividing the waters of the Kansas river from those of the Arkansas, to the Western boundary of the State line of Missouri; and with that line, thirty miles, to the place of beginning.

To understand this cession it must be made plain that at that time the western line of Missouri was a north-and-south line through the mouth of the Kansas River. West of that line, north of the mouth of the Kansas, and east of the Missouri River, lay what are now Andrew, Atchison, Buchanan, Holt, Nodaway, and Platte counties, Missouri. These comprise the best body of land in Missouri. It was attached to that state in 1836.

As construed and mapped the treaty conveyed a tract of the best land in Nebraska, reaching from the Missouri to Red Cloud, and extending north at one point something more than forty miles, and including the present towns of Pawnee, Tecumseh, Beatrice, Fairbury, Geneva, Hebron, Nelson and many others.

This princely domain was cut off at the head of the Solomon, from where it reached down to within twelve miles of the Arkansas, northwest

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of Garden City. Thence it followed the divide to the Missouri line. It was nearly half the State of Kansas.

Out of this cession, however, there was set aside a reservation for the Kansas Indians, the grantors. This reservation was described as follows:

> A tract of land to begin twenty leagues up the Kansas river, and to include their village on that river; extending West thirty miles in width, through the land ceded in the first Article.

There were twenty-three allotments to half-breeds, as has been noticed. The east line of this reservation was through the center of range 14, east, of the public survey made later, and nine miles west of the center of Topeka. It extended west three hundred miles and contained nine thousand square miles of the heart of Kansas. It was held by the Kansas Indians until 1846. On the 14th of January of that year they ceded two million acres off the east end of their tract, embracing the full thirty miles in width, and running west for quantity. It was provided that if the residue of their land should not afford sufficient timber for the use of the tribe, the Government should have all the reservation. This lack of timber was found to exist; thereupon the Government took over the entire Kansas reservation, and laid off another tract for the Indians. This tract was at Council Grove, and was about twenty miles square. It was supposed to lie immediately south of the lands of the Shawnees, but when surveyed it was found to encroach on the Shawnee reservation some six miles. To avoid complications, the Shawnees ceded this overlapped part in 1854. In 1859 the Kansas Indians made a treaty retaining a portion of their reservation—nine miles by fourteen miles—intact. The remainder was to be sold by the Government, and the money used for the benefit of the tribe. These lands were sold by acts of Congress, of May 8, 1872, June 23, 1874, July 5, 1876, and March 16, 1880. The tribe had in the meantime moved to a reservation in Oklahoma. The tract nine by fourteen miles was disposed of under the above named acts of Congress, and the money applied to the use of the tribe. And thus were the Kansas Indians divested of the last of their hereditary soil.

The Osages

The Osage tribe is theoretically separated into twenty-one fireplaces. These fireplaces were grouped into three divisions—

1. The Seven Tsi-shu Fireplaces.
2. The Seven Hanka Fireplaces.
3. The Seven Osage Fireplaces (the Wa-sha-she Fireplaces).

Each fireplace is a gens, so the Osage tribe is composed of twenty-one gentes, or clans. When the two "sides" of the tribe were fixed—the War Side and the Peace Side—there were but fourteen gentes in the Nation. At that time the Osage camping circle, or tribal circle was adopted. Positions for the fourteen gentes were provided. The circle is shown as follows:

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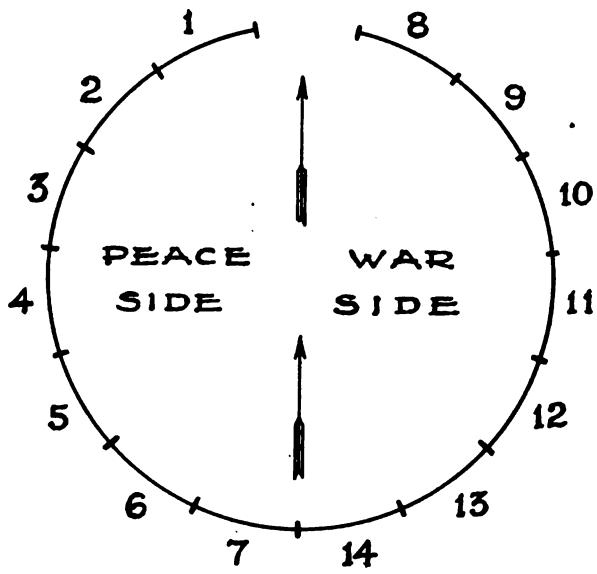

OSAGE CAMPING CIRCLE

[From Fifteenth Annual Report Bureau of Ethnology]

At some period after the adoption of this camping circle the tribe was enlarged by the admission of the Seven Hanka fireplaces. It was not practicable to enlarge the camping-circle, for it had of necessity, to contain an even number of fireplaces, that it should show an even balance of sides—each side an equal number of fireplaces. In making the adaptation of the tribe, as enlarged, to the old tribal circle, the seven Hanka gentes were counted as but five, and the seven Osage gentes were reckoned as only two.

In the tribal ceremonies it was the law that each fireplace should have a pipe, or be assigned a pipe, or to be in some way associated with or represented by a pipe. The Hanka brought in seven such pipes when it joined the tribe. The Wa-sha-she had seven of these pipes—one for each of their fireplaces. For some reason—yet unexplained—the Tsi-shu had no pipes of this nature. To remedy this defect, the Wa-sha-she, or Osage, gave their seventh ceremonial pipe to the Tsi-shu, with authority to the Tsi-shu to make for themselves seven pipes from it. The Wa-sha-she have now but six ceremonial pipes, though the ceremonies for the seventh are still retained.

The fourteen gentes represented in the Osage tribal circle, with their subgentes, are as follows:

1. Elder Tsi-shu, or Tsi-shu-wearing-a-tail (of hair) -on-the-head.
    1. Sun and Comet People.
    2. Wolf People.

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2. Buffalo-bull face.
   1. (Not known.)
   2. Hide-with-the-hair-on.

3. Sun Carriers. Carry-the-sun (or Buffalo hides) -on-their-backs.
   1. Sun People.
   2. Swan People.

4. Tsi-shu Peacemaker, or Villagemaker, or Giver of Life.
   1. Touches-no-blood, or Red Eagle.
   2. Bald Eagle, or Sycamore People. The principal gens of the left side of the tribal circle.

5. Night People, or Tsi-shu-at-the-end.
   1. Night People proper.
   2. Black Bear People.

6. Buffalo Bull.
   1. Buffalo Bull.
   2. Reddish Buffalo. (Corresponds to the Yuqe of the Kansa.)

7. Thunder Being, or Camp-last, or Upper World People, or Mysterious Male being.

   (Subgentes not ascertained.)

8. Elder Osage, or Wa-sha-she Wa-nun. This gens embraces six of the seven Wa-sha-she or Osage Fireplaces, as follows:
   1. White Osage.
   2. Turtle Carriers.
   3. Tall Flags.
   4. Deer Lights, or Deer People.
   5. Fish People.
   6. Turtle People. (Turtle-with-serrated-crest-along-the-shell. Possibly a mythical water monster.)

9. Real Eagle People, or Hanka-apart-from-the-rest. The War Eagle gens. One of the original Hanka Fireplaces.

   The guards, policemen, or soldiers for the right side of the tribal circle are taken from the eight and ninth gentes.

10. Ponka Peacemaker. This is the principal gens on the right side of the tribe circle. It was one of the original seven Osage Fireplaces.
   1. Pond Lily.
   2. Dark Buffalo.

   Or, as some say.
   1. Flags.
   2. Warrior-come-hither-after-touching-the-foe.
   3. Red Cedar.

11. White Eagle People, or Hanka-having-wings.
   1. Elder White Eagle People.
   2. Those-wearing-four-locks-of-hair.

   These Subgentes were two of the original seven Hanka Fireplaces.

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12. Having Black Bears.
    A. Wearing-a-tail-of-hair-on-the-head.
        1. Black Bear.
        2. (Meaning not ascertained.)
    B. Wearing-four-locks-of-hair.
        1. Swan.
        2. Dried Pond Lily.
13. Elk.

    One of the seven Hanka Fireplaces.

14. Kansa, or Holds-a-firebrand-to-the-sacred-pipes-in-order-to-light-them.

    Or, South Wind People.
    Or, Wind People.
    Or, Fire People.

Each of the divisions A and B of the twelfth gens were originally a Fireplace of the Hanka.

There are four divisions of the Osages which have not yet been identified, the—

1. Beaver People.
2. Crane People.
3. Owl People.
4. Earth People.

The religious beliefs of the Osages are similar to those of the Kansas and other Siouan tribes. The term *Wakanda* had almost the same meaning. There were seven great Wakandas—Darkness, the Upper World, the Ground, the Thunder-being, the Sun, the Moon, the Morning Star. The Upper World was perhaps the greatest of the Wakandas. In some of the tribes it was the supreme Wakanda. There was no set form of worship of Wakanda. Every one thought Wakanda dwelt in some secret place. It was believed that *the* Wakanda, or *some* Wakanda was ever present to hear any petition or prayer for help. There were many forms of propitiation, or these may have been sometimes in the nature of invocations, such as the elevation and lowering of the arms, the presentation of the mouth-piece of the pipe, the emission of the smoke, the burning of cedar needles in the sweat house, the application of the major terms of kinship, ceremonial waiting, sacrifice and offerings, and the cutting of the body with knives.

The Osages call the Sun the "mysterious one of day," and pray to him as "grandfather." Prayer was always made toward the sun without regard to its position in the heavens. Here is a prayer.

"Ho, Mysterious Power, you who are the Sun! Here is tobacco! I wish to follow your course. Grant that it may be so! Cause me to meet whatever is good (i. e., for my advantage) and to give a wide berth to anything that may be to my injury or disadvantage. Throughout this island (the world) you regulate everything that moves, including human beings. When you decide for one that his last day on earth has

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come, it is so. It can not be delayed. Therefore, O Mysterious Power, I ask a favor of you."

The Pleiades, the constellation of the Three Deer (Belt of Orion), the Morning Star, the Small Star, the Bowl of the Dipper, are all Wakandas, and they are addressed as "Grandfather." "In the Osage traditions, cedar symbolizes the tree of life. When a woman is initiated into the secret society of the Osages, the officiating man of her gens gives her four sips of water, symbolizing, so they say, the river flowing by the tree of life, and then he rubs her from head to foot with

OSAGE INDIAN CHIEF

[From Photograph Owned by William E. Connelley]

cedar needles, three times in front, three times on her back, and three times on each side, twelve times in all, pronouncing the sacred name of Wakanda as he makes each pass."

These instances are given to aid in the formation of a proper conception of the Wakanda as regarded by the Osages. In the Siouan tongue "Wakandagi, as a noun, means a subterranean or water monster, a large horned reptile mentioned in the myths, and still supposed to dwell beneath the bluffs along the Missouri river."[6]

[6] All that is said in this article, as well as much in the article on the Kansa, when not otherwise indicated, is taken from the writings of

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Much concerning the early history of the Osages has already been told in the account of Pike's expedition and the history of the Kansas. They called themselves Wa-zha-zhe. This name the French Traders corrupted to the present Osage. In historic times the tribe was divided into three bands—

1. Pahatsi, or Great Osages.
2. Utsehta, or Little Osages.
3. Santsukhdhi, or the Arkansas Band.

There are different accounts as to how the tribe became separated into the two principal bands—Great and Little Osages. Some insist that the division occurred in primal times. The Osages then dwelt about a great mountain, an immense mound, or a big hill. One part of the tribe lived on the mountain, the remainder on the plain. Those on the elevation came to be called there the Great Osages, and those living in the plain were the Little Osages. It has been suggested that the names represented a social difference or some tribal distinction long forgotten by even the Osages themselves. In all probability there is no foundation for any of these explanations. Isaac McCoy, in his *History of Baptist Indian Missions* says the division was the result of some fault of the early traders among them. There were then two towns on the Missouri belonging to the Osages. The one above became known as the Upper town, and the people dwelling there as the Upper People. In like manner, those at the town below were the Lower People. Each town had its chief and separate local government. The white people, having an imperfect knowledge of the language and conditions of the Osages, supposed that the names of the towns signified that all the tall or large people of the tribe lived at the Upper settlement, and that all the short or small people lived in the Lower settlement. There came to be told among the white people in pioneer times the story that the tribe had made an arrangement whereby all the tall people should be in one band and live in one town, while all the short men should dwell together in another town. Intelligent travelers never did mention that there was any difference in the stature of the Great and Little Osages. The terms may not have originated as McCoy says. They may have grown out of the relative size of their two towns in early times. Or in some other way not now remembered by the Osages themselves.

The origin of the Arkansas Band is known. About 1796 Manuel Lisa secured from the then government of Louisiana a monopoly to trade with all the Indians on the waters of the Missouri River. This, of course, included the Osages. Previous to that time the trade went to traders in competition, among these the Chouteaus. The monopoly of Lisa cast out the Chouteaus. Pierre Chouteau had at one time enjoyed a monopoly of the Osage trade. When he was superseded as agent of the tribe by Lisa, he sought some means of continuing his profitable

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J. Owen Dorsey, in the Reports of the Bureau of Ethnology. He is the best authority, and often the only authority.

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business relations with the tribe. He determined to divide it, and to settle a part of it beyond the jurisdiction of Lisa. He induced the best hunters of the tribe to go with him to the Lower Verdigris. This stream is a branch of the Arkansas River, none of the waters of which were included in the grant to Lisa. Chouteau took only young men and their families, and they were from both the Great and Little Osages. They built towns near the mouth of the Verdigris River. Later they went to the Arkansas and had towns both above and below the mouth

INDIAN BABY IN BABY-FRAME

[From Photograph Owned by William E. Connelley]

of the Verdigris. By the French they were known as *Osage des Chenes* (Osage of the Oaks). *Des Chenes* was corrupted into a number of terms, of which *Chancers* was one. The date of the formation of this band and its migration to the Verdigris is given as about 1803 by Lewis and Clark, Dr. Sibley and Mr. Dunbar, in their report published in 1806. They say nearly one-half the Osage nation followed Chouteau. Also, that "The Little Osage formerly resided on the S. W. side of the Missouri, near the mouth of the Grand River; but being reduced by continual warfare with their neighbors, were compelled to seek the protection of the Great Osage, near whom they now reside." Their village was set up, on their

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return, where Pike found it when he ascended the Osage on his way to the Pawnee country.

Fort Osage, afterwards Fort Clark, where Sibley, Mo., now is, was established in October, 1808, as a protection to the Osage Indians, as cited in the preamble of the treaty of November 10, 1808, with the tribe. But the Government dealt unfairly in that matter. The fort and trading-post had been promised in 1804 and in 1806. In less than a month after it was built, Pierre Chouteau appeared at the fort with the treaty of the 10th of November already written out. It had been prepared without any consultation with a single Osage. Chouteau had the treaty read and explained to the assembled chiefs and warriors. Then he announced that those who signed it would be considered friends of the United States and treated accordingly, and those who refused to sign would be regarded as enemies. The chief, White Hair, protested, but acknowledged the helplessness of the Indians. He signed the treaty, and fear of being counted enemies of the United States caused all present to sign. This treaty exacted a large tract of land as the price of building Fort Osage. The land was thus described in the treaty:

> Beginning at Fort Clark (Fort Osage) on the Missouri, five miles above Fire Prairie, and running thence a due south course to the river Arkansaw and down the same to the Mississippi.

All the land east of that line was ceded to the United States. There was much dissatisfaction on the part of the Osages, and they never did understand why the concession was enacted.

The Osages began to move to the westward from their homes in what is now Vernon County, Mo., in 1815. Some of them may have gone before that date. They fixed their new towns on the Neosho. In the year 1817 the Cherokees destroyed the Osage town on the Verdigris. They also destroyed the crops and carried off as prisoners some fifty old people and children. The warriors were absent at the time, but they took up the hatchet upon their return. The Delawares assisted the Cherokees, and the war continued until 1822.

In 1820 the Great Osages had one village on the Neosho, and the Little Osages had three on the same stream. Of these Colonel Sibley reported in that year:

> *The Great Osages of the Osage River.*—They live in one village on the Osage river 78 miles (measured) due south of Fort Osage. They hunt over a very great extent of country, comprising the Osage, Gasconade, and Neeozho rivers and their numerous branches. They also hunt on the heads of the St. Francois and White rivers, and on the Arkansas. I rate them at about 1,200 souls, 350 of whom are warriors or hunters, 50 or 60 are superannuated, and the rest are women and children.
>
> *The Great Osages of the Neeozho.*—They have one village on the Neeozho river, about 130 or 140 miles southwest of Ft. Osage. They hunt pretty much in common with the tribe of the Osage river, from whom they separated six or eight year ago. This village contains about four hundred souls, of whom about 100 are warriors, and hunters, some

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10 or 15 are aged persons, and the rest are women and children. Papuisea, or White Hair, is principal chief.

The Little Osage.—Three villages on the Neeozho river, about 130 or 140 miles southeast of this place (Ft. Osage). This tribe, comprising all three villages and comprehending about twenty families of Missouries that are intermarried with them, I rate about 1,000 souls, about 300 of whom are hunters and warriors, twenty or thirty superannuated and the rest are women and children. They hunt pretty much in common with the other tribes of Osages mentioned, and frequently on the headwaters of the Kansas, some of the branches of which interlock with those of the Neeozho. Nechoumani, or Walking Rain, principal chief. [Called "Nezuma, or Rain that Walks" by Pike and Wilkinson.]

Of the Chaneers, or Arkansas tribes of Osages, I say nothing, because they do not resort here to trade. I have always rated that tribe at about

OSAGE INDIAN FAMILY

[From Photograph Owned by William E. Connelley]

an equal half of all the Osages. They hunt chiefly on the Arkansas and White rivers, and their waters.

From this time until after the Civil War the Osages lived principally in Kansas. One post in Kansas resulted from trade with the Osages while they lived yet in Missouri. The Missouri Fur Company had a trading-post near their towns before 1812. It was abandoned that year. When other posts were established is not now known, but the founders of Harmony Mission, who came out in 1821, found several traders seated in the country along the Osage River. One was where Papinville, Vernon County, Mo., was afterwards laid out. Another was at the Collen Ford, on the Osage. The founders of these posts are not now known. About 1831 Michael Gireau and Melicourt Papin had stores at Collin Ford. Papin had another at the site of Papinville. There were half a dozen French families at Gireau's store, as well as some half-breed families. They were probably hunters and petty traders. In 1839 Gireau moved his store and

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established himself further up the Marais des Cygnes, in what is now Linn County, Kansas. The place was later known as Trading Post, a name it still bears. About 1842 this post was sold to one of the Chouteaus, probably Gabriel Chouteau, and it was then called Chouteau's Trading Post. It bore a part in the Territorial history of Kansas.

The one village of the Great Osages on the Neosho mentioned by Colonel Sibley was that of White Hair. It was established about the year 1815, as noted before. In 1796 when the Arkansas band was induced to settle on the Lower Verdigris by Chouteau a trail from these Lower Towns to the old home on the Little Osages, in Vernon County, Mo., where Pike had found the Osage Nation, was marked, and thenceforth used by traders and Indians alike. This trail followed up the Marmaton, in what is now Bourbon County, Kansas. It crossed over to the waters of the Neosho near the southeast corner of the present Allen County, bearing all the time to the southwest. The Neosho River was reached and crossed just above the present town of Shaw, in Neosho County, Kansas. In migrating to the Neosho River, White Hair and his band followed this old trail. The Great Osage town was fixed at the crossing of the Neosho, and on the west side of the river. When the Government survey of Kansas was made the site of White Hair's village fell within the bounds of section sixteen (16), township twenty-eight (28) range nineteen (19).[7]

The exact date of the settlement of the Great Osages in this village on the Neosho is not known. It was about 1815, as said before. Colonel Sibley, writing in October, 1820, says it was "Six or eight years ago." The Little Osages must have settled on the Neosho, in the great bottom about the present town of Chanute. Or they may have been on the east bank of the Neosho, opposite the town of the Great Osages. The Little Osages on the Neosho were more numerous than the Great Osages. In their three towns there were about one thousand souls, including some twenty families of Missouris, intermarried with them.

The missionaries came down from their establishments in the old Osage country to proclaim the Gospel to Osages on the Neosho. The Presbyterians set up a mission there as early as 1824, with Rev. Benson

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[7] The site of White Hair's village has long been a matter of both doubt and controversy. In later years it has been supposed to have been near Oswego, Labette County. The correct location was determined by this author from measurements made on an old manuscript map (and other maps) in the Library of the Kansas State Historical Society, and the consultation of various authorities and treaties.

The White Hair who founded this first town of the Great Osages on the Neosho was a descendant of Old White Hair, the great chief of the Big Osages, about the time of Pike's visit. This first White Hair died in what is now Vernon County, Mo. It seems that all the chiefs named White Hair had the Osage name Pahusca, pronounced Pawhoos-ka. They had a council name—Papuisea. Also a war name, Cahagatongo.

The Neosho River was named by the Osages. The name is composed of two words—*ne,* water; and *osho,* bowl or basin. It was so named from the fact that it has innumerable deep places—bowls or basins of water. It means a river having many deep places.

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Pixley in charge. What this effort accomplished is not fully known. In March, 1830, Rev. Nathaniel B. Dodge, was sent from Independence, Mo., where he had gone after strenuous labors at Harmony Mission, to take up the work with the Osages, on the Neosho. There he established what was known as the "Boudinot" Mission. It was on the east bank of the river opposite the town of White Hair. He remained at that charge until 1835, when he returned to the Little Osage River, in Vernon County, Mo., settling near Balltown, where he died in 1848. His departure from the Neosho was the end of the Presbyterian Mission there.

The Baptists made no efforts to establish a mission among the Osages on the Neosho. McCoy says the Osages were much to be pitied at that time, but does not explain why the Baptists were unable to help them.

The Roman Catholic Mission was founded at the point where the town of Osage Mission was afterwards located. The town was the result of the mission. In 1822 the Bishop of New Orleans appointed Rev. Father Charles de La Croix missionary to the Osages on the Neosho. He reached the field of his labors in May of that year. On the 5th of that month he baptized Antone Chouteau, who was born in 1817, and whose baptism is the first recorded in Kansas. This missionary succumbed to the hardships of pioneer life, dying at St. Louis. He was succeeded by Rev. Charles Van Quickenborn, who appeared on the Neosho in 1827. In 1828 he performed the ceremony of marriage between Francis D. Agbeau, a half-breed, and an Osage woman named Mary. There is no record of an earlier marriage ceremony in Kansas. The progress of the mission was slow. Rev. Father John Schoenmakers, S. J., arrived at the mission April 28, 1847, accompanied by Fathers Bax and Colleton. They were accorded possession of two buildings then being erected by the Indian Department. In these buildings were started two schools—one for girls and one for boys. In October a number of Sisters of Loretto arrived from Kentucky. Father Paul Ponziglioni came to the mission in 1851. The work went forward with energy from that time. Additions were made to the buildings, and attendance increased. The Civil War scattered the Osages, but Father Ponziglioni followed from village to village to minister to them.

The Osages disposed of their vast domain in Kansas in 1825. In June of that year they made a treaty with the United States by which they ceded all the land of the State of Kansas south of the land ceded by the Kansas. The Osages and Kansas were, in fact, in St. Louis together to conclude these treaties. That with the Osages was made on the second of June, and that with the Kansas the following day. The south limit of the Kansas cession has been already noted. The Osage cession extended from that line south into Oklahoma and west as far as the Kansas had claimed. It was an imperial domain, and the Osages had no good title to any great portion of it. The Government could take title from the Osages; none could ever dispute this title with the United States. That is why it was accepted from the Osages.

In this same treaty a new reservation was cut from the ceded lands for the Osages. Its bounds were to be arrived at in much the same

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manner as in the new reservation for the Kansas. This new Osage reservation was thus defined:

"Beginning at a point due east of White Hair's village and 25 miles West of the western boundary line of the State of Missouri, fronting on a North and South Line so as to leave 10 miles North and 40 miles South of the point of said beginning, and extending West with a width of 50 miles to the western boundary of the lands hereby ceded and relinquished."

OSAGE INDIAN FAMILY

[From Photograph Owned by William E. Connelley]

All this reservation was disposed of under the terms of a treaty made with the Osages at the Canville Trading Post, near Shaw, in Neosho County, September 29, 1865. By this treaty the Ceded Lands were cut from the east end of the reservation to be sold to create a fund for the benefit of the Osages. This tract was twenty-eight miles in width—east and west—by fifty miles north and south. Another cession made by the treaty was a tract twenty miles wide off the north side of the reservation as it remained after taking off the Ceded Lands. This tract was to be held in trust for the tribe and sold for its benefit at a stipulated sum. It was provided also that if the Osages should determine to move to the Indian Territory to lands secured for them there, the diminished reserva-

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tion in Kansas might be sold by the Government for their benefit. They did so determine, and by an act of Congress of July 15, 1870, the remainder of the Osage lands in Kansas passed to the Government to be disposed of for their use. The Osages left Kansas in 1870. They settled on land bought from the Cherokee, east and north of the Arkansas River, where they yet live.

The Osages were loyal to the Union in the Civil War. They destroyed a band of Confederate soldiers, who were crossing their reservation in May, 1863. The incident is worth preserving, and the account of Warner Lewis, the only survivor of the expedition, is here set out:

The Only Survivor's Story of Tragedy

In May, 1863, an expedition was organized on the western border of Jasper County, Missouri, under command of Colonel Charles Harrison, who had been commissioned by Major-General Holmes to proceed to New Mexico and Colorado for the purpose of recruiting into the Confederate service the men who had fled there from Missouri and other states, to avoid being drafted into the Federal army—of whom there was then supposed to be a large number, anxious to make their way into companies, regiments and brigades—and as soon as this was done to drop down into western Texas and then unite with the main army. The plan appeared feasible, though very hazardous; so much so that many of those who had at first volunteered, finally refused to go.

Colonel Harrison appeared to be the man above all others to lead such an undertaking, since his entire life had been spent upon the western plains, and he had been a protege of the celebrated Indian fighter, General Kit Carson. He was tall, athletic, and almost as brown as an Indian, of whose blood he was said to have a mixture. He knew no fear and he staggered at no hardships. On the early morning of the 22nd day of May, 1863, the mules were packed with rations for the men. The party consisted of eighteen men, rank and file. The starting point was Center Creek where it crosses the line of the state in Jasper county. The route pursued was westward over the trackless prairie in the Indian Territory about fifteen or twenty miles north of and parallel with the Kansas state line. There was no human habitation to be seen and no living person discoverable, and no incident worthy of note until the afternoon of the second day. After crossing a ravine fringed with brush and small timber, we halted on an eminence just beyond for rest and rations; our animals were tethered to grass or left to roam at will, while we were resting under the shade of some scattering oaks, inapprehensive of danger.

We had begun saddling up to renew our journey when we discovered a body of men on our trail at full gallop. By the time we were all mounted they were in hailing distance, and proved to be a body of about 150 Indian warriors. To avoid a conflict we moved off at a brisk walk, and they followed us. We had not gone far until some of them fired and killed one of our men, Douglas Huffman. We then charged them vigorously and drove them back for some distance. My horse was killed in this charge and I was severely wounded in the shoulder with an arrow. I mounted the mule from which Huffman was killed. The Indians kept gathering strength from others coming up. We had a running fight for eight or ten miles, frequently hurling back their advances onto the main body or with loss. Our horses were becoming exhausted, so we concluded to halt in the bed of a small stream that lay across our path, to give them rest. The Indians here

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got all around us at gunshot range, and kept up an incessant fire. We had only side arms, and pistols and were out of range. Here Frank Roberts was shot through the head and fell from his horse. I immediately dismounted the mule and mounted Robert's horse. This incident was the saving of my life. Colonel B. H. Woodson of Springfield, Mo., preferred this mule to his horse and mounted it. When our horses were rested we made a dash for liberty. On ascending the bank of the stream the saddle of Captain Park McLure of St. Louis slipped back and turned and he fell into the hands of the savages. Colonel Harrison was shot in the face and captured. Rule Pickeral had his arm broken.

We broke the cordon as we dashed out, but from now on the race was even, and our ranks much reduced. It was about two miles to the Verdigris river. When we were in about two hundred yards of the timber Woodson was caught. I tried to get the men to halt and give them a fire so as to let him get into the timber but did not succeed. We could not cross the stream with our horses, owing to the steepness of the banks on both sides. I went down to get a drink and heard the Indians coming to the bank below us. John Rafferty stood on the bank above me, and I said to him "Follow me." He obeyed. We made our way up the stream under cover of the bank for about half a mile, and noticing some fishing poles and some fresh tracks, and hearing the barking of dogs on the other side of the stream we concluded it safest to secrete ourselves in some dense bushes near the prairie until the darkness of the night came on.

We had just escaped a cruel death from savages. We were without food and about eighty miles from a place where relief could be obtained. We were without animals to ride, and our journey lay through a trackless prairie beset by hostile Indians.

We dared not attempt to travel by day, for fear of being discovered by roving bands of Indians and put to death. By accident I lost my boots in the Verdigris river, so we took it "turn about" wearing Rafferty's shoes, and used our clothing to protect our feet when not wearing the shoes.

We concealed ourselves by day and traveled by night, with only the sky for our covering and the stars for our guide. Just before we reached the Neosho river we frightened a wild turkey from her nest, and secured nine eggs in an advanced stage of incubation. Rafferty's dainty appetite refused them but I ate one with relish and undertook to save the rest for more pressing need.

We found the Neosho river not fordable, and Rafferty could not swim; so we constructed a rude raft with two uneven logs and bark. I put the eggs in the shoes and the shoes between the logs and undertook to spar Rafferty across the river. When we got midway of the river, Rafferty became frightened, tilted the raft, and we lost both the shoes and the eggs. On the morning after the second night the Missouri line appeared in sight, and we nerved ourselves for the final struggle. We reached the neighborhood from which we had started about 11 o'clock, footsore, wounded and half dead. The good women concealed us in the brush, and there fed us and nursed our sores until we were strengthened and healed. Rafferty was soon after killed, so that I, only, of the eighteen men who entered upon that fatal expedition, survived the war.

On the 28th day of May, 1863, Major Thomas R. Livingstone made a report to General Price from Diamond Grove, Missouri, in which, among other things, he says, "Colonel Warner Lewis is also here, who has just escaped from the Indians, and consequently without a force. He will make a report of the unfortunate disaster he escaped."

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The Pawnees

As in the case of the Osage and Kansas, much of the history of the Pawnees was told in the accounts of explorations. It has been already noted that the view that the Turk was a Pawnee was scarcely tenable. It is much more likely that he was a Quapaw. In the account of Coronado the argument was made that Quivira was the country immediately north of the Arkansas River, extending to the northern watershed of that stream, and the land of the Wichita. Also that Harahey was the country of the Pawnees, and began at the north boundary of the Wichita domain, or Quivira. From these conclusions future students are not likely to depart. Investigations to be made will, no doubt, confirm them. In the account of the Kansas the bounds of the country of the Caddoan linguistic family were discussed. There is no fear that the views there arrived at can be successfully controverted. Prior to the northward migration of the Kansas from the mouth of the Osage the Caddoan eastern boundary was the Missouri River. The Kansas penetrated the Caddoan country to the mouth of Independence Creek, but were there halted by the Pawnees, who continued to dwell on the west bank of the Missouri about the mouth of Wolf River into historic times. The tribes of the Siouan family passed to the Upper Missouri by keeping to the east shore of that stream and to the country still eastward. The Caddoan territory taken by the Kansas and held when they lived at Independence Creek did not extend westward from the Missouri beyond the heads of the small streams. And the Kansas did not venture into the valley of the Kansas River until long after the establishment of Louisiana. The Pawnees kept the Kansas confined to the narrow strip along the Missouri until the shifting of the tribes and their concentration in villages due to the coming of the white man, and the appearance of white traders among them. Then the Pawnees ceased to defend the valley of the Kansas River below the mouth of the Big Blue. Finding the valley practically abandoned, the Kansas entered it and ascended it to the Blue, but were ever in terror of the more powerful Pawnees. These matters are all factors in determining the extent of the explorations of Coronado and subsequent Spanish expeditions. In treating the Pawnees it was found necessary to make this review of tribal holdings and movements west of the Missouri.

The Pawnee lands in Kansas were taken by the Government through treaties with the Kansas and Osages. The cession of the Pawnees in Kansas was insignificant. They had a much better title to Kansas west of the Blue than any other tribes. Irving found the remains of their towns on the Cimarron as late as 1832. Brower claimed to have traced them or their kindred from the Ozarks to the forks of the Kansas River. They lived on the Lower Neosho, in the vicinity of the present Vinita, in the time of Du Tisne. But they were despoiled by the agents of the Government, and their place in Kansas history was thereby circumscribed.

The name *Pawnee,* Dunbar tells us, comes from the word *pá-rik-i,* a horn. The tribal mark of the Pawnees was the scalp-lock. No other

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tribe had one like it. With the Pawnees the scalp-lock was bound about and held in a solid body by buffalo tallow and the paints used by the Indians. It was thus so stiffened that it stood erect. Sometimes it was curved back in the shape of the horn of a buffalo bull. It is said that the term, pá-rik-i, at one time embraced the Pawnee Picts, known to us now as the Wichita Indians.

The four bands of the Pawnees were known among themselves by the following names:

1. Xau-i, or Grand Pawnees.
2. Kit-ke-hak-i, or Republican Pawnees.
3. Pit-a-hau-e-rat, or Tapage Pawnees.
4. Ski-di, or Loup Pawnees.

The origin and meaning of some of these tribal designations are lost. Indeed, only the Pit-a-hau-e-rat signification is remembered, and is supposed to imply that the Tapage were the Noisy Pawnees. They were also known as the Smoky Hill Pawnees, having lived on that stream in what is now Kansas well down into historic times. In 1836 they pointed out to Mr. Dunbar the remains of their villages on the Smoky Hill. In 1719 there was a Pawnee town at the mouth of the Republican River—most probably a Tapage Pawnee town.

There were, among the Pawnees, the usual divisions of gentes, but the names of these cannot now be stated with certainty. Morgan gives the following as probable names of Pawnee gentes, but does not pretend that the list embraces all the gentes of the Pawnees as their organization originally existed:

1. Bear.
2. Beaver.
3. Eagle.
4. Buffalo.
5. Deer.
6. Owl.

The compact manner in which the Pawnees were always found, and which remained until recently, would seem to justify the conclusion that these gentes or clans extended through all four of the tribal divisions, as with the Iroquois. The chiefs of the band were the governing power, the individuals having little influence in tribal matters.

The principal expeditions to the country of the Pawnees in early times have been noted. In 1833 John T. Irving, Junior, went with Commissioner Ellsworth on a tour of the Indian country tributary to Fort Leavenworth, visiting the Pawnees. Later, he was present when the various tribes gathered at the fort to compose their differences. At that time he witnessed a Pawnee dance, his description of which is here given to show the savage nature of the Pawnees:

In the evening it was determined to bring the Delawares and the Pawnees together as friends, for as yet they had held no intercourse. A large fire was accordingly built before the outhouses in which the

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Pawnees had taken up their quarters, and the wild troop sallied forth, prepared to commence one of their national dances round the flame. A group of eight or ten savage-looking fellows seated themselves a little distance off, furnished with a drum and rattle. They commenced a song, accompanied by their rude instruments. For a time there was no movement among the Pawnees who stood huddled in a large, condensed crowd. Suddenly one of them, a tall muscular savage, sprang into the middle of the circle, and gazed around with a hurried air; then with a loud yell he commenced his dance. He jumped slowly round the fire, with a kind of zigzag step; at every leap uttering a deep guttural "Ugh!" occasionally accompanied with a rattling sound from the very bottom of his lungs. His comrades looked on silently, but with intense interest. They were a savage group; face and body begrimed with paint; their fierce features reflecting the flame, their teeth bared, and every brow knotted into a frown. Head rose behind head, and gleaming eyes were seen peering through the living mass, until those farthest off were hid by the darkness.

When the first warrior had made two or three circles about the fire, a second left the crowd, and sprang forward in the dance; a third followed, and a fourth, until about twenty were flitting swiftly round, and joining in the song. Occasionally they stopped short in their course, and uttered a loud shrill yell, which was taken up by the whole surrounding horde, until the very trees echoed to the sound. At one moment they moved swiftly forward, and at another their steps were slow and wearied. As we watched their fierce, earnest faces, the forms of some wrapped in shaggy robes, the painted bodies of others writhing in the dance, and then turned to the silent, and equally savage group of lookers-on, it required no great stretch of the imagination to fancy them a host of evil spirits, busied in fiendish revel.

While they were thus engaged, the crowd separated, and revealed a Delaware watching their movements. Behind him were about twenty more of the same tribe. No sooner had the Pawnees caught sight of them than they retired. Old prejudices could not be rooted out at once, and though the dancers remained at their employment, the rest of the tribe drew off in a sullen and haughty group, and stood watching the countenances of their quondam enemies.

This continued during the whole evening. As it grew late, group after group of the Pawnees left the fire, and retired into their dwelling. The Delawares soon followed their example; and although their visit had continued for several hours, I fear it did but little towards removing that ancient venom, which, in spite of their apparent friendship, was rankling in their hearts.

The treaty-scene between the Pawnee and the Kansa, as described by Irving, is worthy a place in any historic work:

The deliberations lasted during the whole day: for, as these Indians had no particular injuries to dwell upon, they confined themselves to things in general; and, as this was a subject that would bear to be expatiated upon, every man continued his address until he had exhausted his wind. The Pawnees listened with exemplary patience, though I doubt if there was one who regretted when the last speaker had finished.

The morning following, the Pawnees and the Kanzas had a meeting to settle their difficulties. A large chamber in the garrison had been selected for the purpose. About ten o'clock in the forenoon they assembled. The two bands seated themselves upon long wooden benches, on opposite sides of the room. There was a strong contrast between

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them. The Kanzas had a proud, noble air; and their white blankets, as they hung in loose and graceful folds around them, had the effect of classic drapery.

The Pawnees had no pride of dress. They were wrapped in shaggy robes, and sat in silence—wild and uncouth in their appearance, with scowling brows, and close pressed-mouths.

At length the speaking commenced. First rose the White Plume. He had boasted to his tribe that he would relate such things, in his speech, as should cause the Pawnees to wince. With true Indian cunning, at first, in order that he might conciliate the favourable opinion of those present, he spoke in praise of the whites—expressing his high opinion of them. After this, he gradually edged off into a philippic against the Pawnee nation, representing them as a mean and miserly race—perfidious and revengeful. There was a hushed silence among his own people as he spoke, and every eye was fastened upon the grim group opposite. The White Plume went on; and still the deepest silence reigned through the room; that of the Kanzas arose from apprehension; the silence of the Pawnees was the hushed brooding of fury.

The chief of the Tappage village was sitting directly opposite the speaker; his eyes were dark as midnight; his teeth were bared, and both hands were tightly grasped round his own throat; but he remained silent until the speech had finished. When the White Plume had taken his seat, half a dozen Pawnees sprang to their feet but the Tappage chief waved them down; three times did he essay to speak, and as often did he fail. He rubbed his hand across his throat to keep down his anger; then stepping out, and fixing his eye on that of the Kanza chief, in the calm, quiet voice of smothered rage, he commenced his answer; he proceeded; he grew more and more excited—indulging in a vein of biting irony. The White Plume quailed, and his eye drooped beneath the searching, scornful glance of his wild enemy. Still the Pawnee went on; he represented the injury which first kindled the war between the two nations. "My young men," said he, "visited the Kanzas as friends; the Kanzas treated them as enemies. They were strangers in the Kanza tribe, and the Kanzas fell upon them and slew them, and concealed their death." He then entered into the particulars of the quarrel, which, unfortunately for the Kanzas, were strongly against them. The chief of the latter tribe received the answer with great philosophy; nor did he attempt to utter anything in reply. Perhaps, too, he did not wish to invite a second attack from so rough a quarter. When the Pawnee had finished, the Commissioner interposed, and after a short time harmony was restored, and several of the inferior chiefs made their harangues. They were of a more calm and conciliating nature, and gradually tended to sooth the inflamed feelings of their foes. The council lasted until sunset, when the terms of the treaty were finally adjusted.

On the 9th of October, 1833, the Confederated Pawnees—all the divisions of the tribe—ceded "all their right and title in and to all the land lying South of the Platte River." This embraced but a small portion of Kansas—a triangular tract bounded on the south approximately by Prairie Dog Creek, and on the west by the east line of range thirty-seven.

So passed the Pawnees from their ancient heritage in the future State of Kansas.

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Arapahos and Cheyennes

The Arapahos and Cheyennes will be considered together. They both belong to the great Algonquian family, and, for a long period, were closely associated. Both were important Plains tribes and bore prominent parts in the early history of that plain along the Front Range of the Rocky Mountains. The Cheyennes ranged far down the plains streams, coming into close contact with pioneer settlers of Northwestern Kansas. The Arapahos did not trouble the white people making homes in Western Kansas. Both tribes lay in wait along the great trails to fall

Chief White Buffalo

[Copyright by Meyers, Omaha]

upon the stragglers and the unprotected. They were fierce and daring riders in those days, coming over the deserts in clouds of dust, circling the emigrant train or the trader's caravan to take it if they could. If the resistance was too much they vanished across the plain like the wind. The Arapahos led the migration from the Algonquian body in the far North. The Cheyennes brought up the rear. They came from what is now Minnesota. Whether they were in league at the time or whether they formed an alliance later cannot be surely said now. They roamed from the Black Hills to the Arkansas. They were always at war with the

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Pawnees, Utes, and Shoshonis. Until about 1840 they were at constant war with the Sioux, Kiowas, and Comanches. Both the Arapahos and Cheyennes were separated into groups by the treaty of Medicine Lodge in 1876—Southern and Northern Arapahos, and Southern and Northern Cheyennes.

Dunbar was of the opinion that the name *Arapaho* came from the Pawnee word *tirapihu* (or *carapihu*) meaning *trader*. The Sioux and Cheyennes called the Arapahos "Blue-Sky" men, and "Cloud-men." The import of these appellations is not now known. The Arapahos called themselves *Inunaina*. They have lost the clan system of organization. In the tribe there are five principal divisions:

1. Northern Arapahos, or Sage-brush men, or Red-willow men.
2. Southern Arapahos, or Southern-men, or Southerners.
3. Gros Ventres of the Prairie, or White-clay people, or Begging-men. This division is not to be confused with the Gros Ventres of the Upper Missouri.
4. Wood-lodge people, or Big Lodge people.
5. Rock-men.

The principal divisions are the Northern and Southern Arapahos.

The Northern Arapahos are still further divided, as follows:

1. Forks of the Red River Men.
2. Bad Pipes.
3. Greasy Faces.

The Southern Arapahos are separated into the following local bands:

1. Bad Faces.
2. Pleasant Men.
3. Blackfeet.
4. Wolves.
5. Watchers.

The Cheyennes called themselves Dzi-tsi-is-tas, Our People. The name *Cheyenne* came from the Sioux designation of this people, that is, from the Sioux word *Sha-hi-yena,* those who speak a strange language. It has been said that the name came from the French word *Chien*—dog—but this is not so. If the Cheyennes ever had the clan system they have lost it. There are eleven divisions of the tribe:

1. Aortas closed by burning.
2. Flint People.
3. Eaters.
4. Hair Men.
5. Mangy People, or Scabby People.
6. Ridge Men.
7. Sutaio.
8. Bare Shins.
9. Poor People.
10. Ghost Head.
11. O-mi-sis.

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These divisions are still further separated, but these minor local bands need not be enumerated here. Among the Plains tribes there were Military Societies or Warrior Organizations. This was well developed in the Cheyennes, who had six such societies. One of these came to be known as the "Dog soldiers." It was a large society, and was sometimes supposed to be a regular tribal division. Dog-soldiers are often spoken of in Kansas annals, and the term was not well understood in pioneer times.

POWDER FACE, CHIEF OF THE CHEYENNES

[From G. A. Betts]

The Cheyennes were active in the movement known as the Ghost Dance, of Ghost Dance Religion.

By a treaty made February 18, 1861, the Arapahos and Cheyennes ceded to the Government all their land, and were assigned a reservation outside the limits of Kansas. That part of the cession embraced in Kansas is a tract extending from the Arkansas River to the north boundary. It is immediately west of the cessions of the Kansas, Osages, and Pawnees, and is some forty miles in width. Its extent north and south is about one hundred and forty-five miles.

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KIOWAS

The Kiowas enjoy the distinction of constituting alone a linguistic family of North American Indians. The name comes from their word *Ka-i-gwu,* meaning "Principal People." They lived first on the Yellowstone and the Upper Missouri. From thence they began a southern movement which brought them to notice in historic times along the Upper Arkansas and Canadian rivers. At one time, in their migration, they were in alliance with the Crows. They were at war with the Arapahos and Cheyennes until about 1840, when they began to act in concert with those tribes. They are said by plainsmen to be the most cruel and bloodthirsty of the Plains tribes. They are supposed to have killed more whites than any other tribe in proportion to their number. They were confederated with the Comanches, and, with those American Arabs, raided far into Mexico.

The tribal divisions on which the social organization rests are as follows:

1. Kata.
2. Kogui.
3. Kaigwu.
4. Kingep.
5. Semat.
6. Kongtalyui.
7. Kuato (now extinct).

The tribe is now in Oklahoma, between the Washita and Red rivers. They ceded their lands in Kansas in a treaty to which the Comanches were a party, and which will be noticed in connection with that tribe.

COMANCHES

The Comanches were of the Shoshonean linguistic stock. They formerly dwelt with kindred tribes in Southern Wyoming. They were driven south by the Sioux and other tribes with whom they warred. In the early history of the plains they were known as Paduca, the name given them by the Sioux. They lived at one time on the North Platte, which was known as the Paduca Fork as late as 1805. They were said to have roamed from that stream to Bolson de Mapimi, in Chihuahua. They were the finest horsemen that rode the Great Plains, and as buffalo hunters none excelled them. To the Americans they were usually friendly, but they were at war with the Mexican Spaniards for more than two hundred years.

The clan system had ceased to exist in the Comanches. They may, in fact, never have had it. The tribe is separated into divisions or bands, as follows:

1. Detsanayuka, or Nokoni.
2. Ditsakana, Widyu, Yapa, or Yamparika.
3. Kewatsana.

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4. Kotsai.
5. Kotsoteka.
6. Kwahari, or Kawhadi.
7. Motsai.
8. Pagatsu.
9. Penateka, or Penande.
10. Pohoi.
11. Tenima.
12. Tenawa, or Tenahwit.

On the 18th of October, 1865, at a camp on the Little Arkansas River, in Kansas, the Comanches and Kiowas made a treaty with the United States, by which they ceded all their lands lying in Kansas, and other lands. The tract in Kansas was that part of the State south of the Arkansas River immediately west of the Osage lands. The line between the lands of the Osages and the Comanches and Kiowas ran from a point on the Arkansas River about six miles west of Dodge City south to the state-line.

The cession of the Comanches and Kiowas divested the original Indian owners of the last acre of land they owned in Kansas. Much of this land was given by the Government to other Indians. These were known as the Emigrant Indian Tribes. They were moved to Kansas by the United States as title to their lands were extinguished in the states east of the Mississippi. Most of the Emigrant tribes were given land in Kansas in exchange for their lands further east which the white man required for settlement as he increased his numbers in his westward conquest and occupation of American soil.

One of the reasons entertained by Jefferson for the purchase of Louisiana was that it would afford land for the Indian tribes east of the Mississippi. The English could never sit down and live in a country with people of another nationality. They exterminated and drove out the Gaelic tribes of Britain. They desired an exclusive possession of the land. That was their policy in America. It was continued by the United States.[8]

In the report of Lewis and Clark, 1806, to Jefferson, this policy is mentioned in discussing the lands of the Osages. The report says: "I think two villages, on the Osage River, might be prevailed on to remove to the Arkansas, and the Kansas, higher up the Missouri, and thus leave a sufficient scope of country for the Shawnee, Dillewars, Miames, and Kickapoos."

Some of the Delawares and Shawnees had crossed the Mississippi in 1793, at the invitation of the Spanish Government of Louisiana, and had been assigned a reservation at Cape Girardeau.

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[8] This subject is well treated in the History of Baptist Indian Missions, by Isaac McCoy, pp. 30 to 41.

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SHAWNEES

It is said that the name of this most remarkable tribe comes from *Shawun,* south, or *Shawunogi,* Southerners. They lived in South Carolina, Georgia, Tennessee, Kentucky, Pennsylvania, Ohio, and other states before coming to Kansas. One of their early homes was on the Savannah River, which, indeed, took its name from this tribe. They called themselves *Shawano,* and "Savannah" is but a corruption of that form of the name.

The Shawnees were the extreme southern people of the Algonquoian family. It is supposed that they settled on the Savannah at the invitation of the Cherokees, who placed them next to the Catawbas as a protection from that fierce Siouan people. The Shawnees removed from that region because of the injustice and discrimination of the English Colonies. They were made welcome by the Delawares, who assigned them a home on the Susquehannah, in what is now Lancaster County, Pa. The first families of this migration arrived about 1678. Others followed for the next forty years. They were gradually pushed to the westward with other tribes, and in 1756 they were established on the Ohio, where they became firm friends and allies of the French.

There was another band of Shawnees—known as the Western Shawnees. They occupied the valley of the Cumberland River. They seem never to have lived east of the Alleghenies. A war broke out between them and the Cherokees. The Chickasaws were in league with the Cherokees. These tribes expelled the Shawnees from the Cumberland. They took refuge on the north bank of the Ohio about 1730. Their towns which later became famous in pioneer annals were set up by these Western Shawnees—Sawcunk, Logstown, the Lower Towns at the mouth of the Scioto, and perhaps others. When the Eastern Shawnees were driven across the Alleghenies, they found their Western brethren already seated on the Ohio, and the two divisions of the tribe were merged into the Shawnees so well known to historians. No other Indians gave the back settlements of the English so much trouble. For thirty years the pioneers of Kentucky suffered at their hands. Their towns shifted from the north bank of the Ohio to the interior waters of what is now the State of Ohio. From these villages warriors were constantly departing to raid the Kentucky settlements.

The Shawnees bore important parts in the wars of the West. They were pushed gradually farther and farther to the westward. It was the Shawnee Prophet who fought the battle of Tippecanoe. They began to cross the Mississippi soon after the French and Indian War. At one time there were hundreds of them around the new post of St. Louis. When the Spaniards owned Louisiana they feared the Osages, and it was to form a bumper between themselves and the Osages that caused them to settle the Shawnees and the Delawares at Cape Girardeau. Bands of both the Shawnees and the Delawares scattered to the Southwest, some drifting as far as Texas. When Louisiana came into possession of the United States the American policy was exercised towards

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all tribes alike. In 1825, that year fateful to Indian possessions, the Government made a treaty with these Western Shawnees, in the preamble of which it is recited that:

Whereas the Shawnee Indians were in possession of a tract of land near Cape Girardeau, in the State of Missouri, settled under permission from the Spanish Government, given to the said Shawnees and Delawares by Baron de Carondelet, on the fourth day of January, one thousand seven hundred and ninety-three, and recorded in the office of the Recorder of Land Titles at St. Louis, containing about twenty-five miles square, which said tract was abandoned by the Delawares, in the year 1815; and from which the said Shawnees, under assurance of receiving other land in exchange, did remove, after having made valuable and lasting improvements on the same, which were taken of by citizens of the United States, etc.

For the cession of the land above mentioned the Shawnees were given a tract of land equal to fifty miles square out of the land then recently ceded by the Osages. This tract was twenty-five miles north and south by one hundred miles east and west, lying west of the Missouri and south of the present south line of the State of Kansas. Upon examination this tract was not satisfactory. The tribe was permitted to make another selection. The land immediately south of the Kansas River being then unassigned, the Shawnees chose that as their future home, relinquishing the tract specifically given them in the treaty. The accurate description of the lands so selected is set out in the treaty made with the Shawnees, May 10, 1854. The reservation on the south side of the Kansas River was estimated to contain sixteen hundred thousand acres of land. It is one of the most beautiful and fertile tracts in America.

It required some time to settle all the details of changing the reservations. The treaty had been made with the Chillicothe division sometimes called the Meremac band, which, it seems, had crossed the Mississippi at the suggestion of the Spaniards. The Fish band of this division moved to the new reservation in 1828. A few Shawnees had come the year previous, and the old members of the tribe have told this author that a few of their people had been living there some years before the treaty of 1825 was made. Their influence caused the change in the location of the reservation. It is possible that this was the real cause of the change. The first Shawnees to arrive settled on the highlands, in what is now Wyandotte County, and not far from the present town of Turner. Others came slowly. Some were in Missouri, some were in Ohio, some were in Arkansas, some in Texas, and some in what is now Oklahoma. It required ten years to assemble the tribe—then all did not come. In 1830 some of the Ohio Shawnees came. They contracted smallpox in St. Louis, the disease spreading to others living near the present town of Merriam, in Johnson County, and killing many. In 1832 the remainder of the Ohio Shawnees arrived on the Kansas River.

With their coming the tribe was more nearly united than ever before except when they first gathered on the Upper Ohio. They suffered

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secession, however, for about 1845 a large number of the tribe left the Kansas River reservation and moved to the Canadian, where they were known as the "Absentee Shawnees."

The Shawnees occupied only a small portion of their Kansas River reservation. Few of them ever lived west of Lawrence. The majority lived in Wyandotte and Johnson counties. The council-house was erected on the southeast quarter of section two (2), township twelve (12), range twenty-four (24), near the present town of Shawnee, Johnson County. It was of logs, but not "chinked and daubed." There had been an earlier council-house, a temporary one, a small cabin on another site, but it was never regarded as the real seat of the Shawnee government. The missions were near this seat of government. The Prophet, the most distinguished Shawnee ever in Kansas, had a little settlement on the fine plateau back of the present town of Argentine. He died within the limits of the town and is buried there.

In 1830 the Methodist Episcopal Church established a mission among the Shawnees. The first building was probably in section twenty-four (24), township eleven (11), range twenty-four (24), on the uplands just east of Turner, in Wyandotte County. With the Fish band in 1828, came Frederick Chouteau, who set up a trading-house on the south side of the Kansas River immediately north of the present and above mentioned town of Turner. The mission was given its location because of the proximity of the trading-house. Chouteau soon became interested in the Kansa Indian trade, building a post at Horseshoe Lake (now Lakeview), and, later, at the Kansas Mission, in Shawnee County. The discontinuance of his trading-post near the Shawnee caused the Methodist Mission to be moved to what is now Johnson County, some three miles from the old town of Westport, Mo. Substantial brick buildings were erected there by Rev. Thomas Johnson, the missionary, a man of superior parts and especially fitted for his work. The manual-labor school was on the south-west quarter of section three (3), township twelve (12), range twenty-five (25). Good schools were maintained, which were attended by the Shawnee children and by Indian children of other tribes. This mission was for a time the capital of Kansas Territory.

The Baptists founded a mission among the Shawnees in 1831. Dr. Johnson Lykins and his wife were appointed missionaries to the Shawnees through the efforts of Rev. Isaac McCoy. Dr. Lykins put up a small building on the Missouri side of the State-line, where he first labored, preaching, and teaching the Shawnee children. In 1832 he erected a mission building on the northeast quarter of section five (5), township twelve (12), range twenty-four (24). There he opened his school the same year. On the 13th of July, 1833, Rev. Moses Merrill and his wife arrived at the mission from Sault St. Marie to aid in the work among the Shawnees. Later in the same year Rev. Jotham Meeker and his wife reached the Baptist Shawnee Mission. They brought with them a Miss C. Brown. Mr. and Mrs. Merrill and Miss Brown were sent to labor among the Otoes, leaving the Shawnee Mission October 25, 1833. Mr. Meeker brought as a part of his equipment a small printing

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press and a quantity of type. By the 10th of May, 1834, he had printed two books in a system of phonography of his own invention for the use of the Indians. On the first day of March, 1835, the first number of a semi-monthly newspaper was issued. It was edited by Dr. Lykins and printed at the Shawnee Mission. This is said to have been the first newspaper ever published exclusively in an Indian language. It was called the *Shau-wau-nowe Kesauthwau,* which in the Shawnee tonge is *The Shawnee Sun.* This was the first Kansas newspaper.

REV. THOMAS JOHNSON, MISSIONARY TO THE SHAWNEES

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

Rev. John G. Pratt was for some time in charge of the Shawnee Mission, but was later sent to the Delawares, locating in what is now Wyandotte County. In 1839 the Rev. Francis Barker was appointed to the Shawnee Mission, where he labored until 1855, when the mission was discontinued.

The Quaker Mission to the Shawnees was established in 1834. The buildings were erected on section seven (7), township twelve (12), range twenty-four (24) one-half mile east and one-fourth mile south of the present town of Merriam, in Johnson County. Rev. Joab Spencer gives this location as the northeast quarter of section six (6). Substantial

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buildings were erected, which are still standing and in use. The main building was 30 by 60 feet and three stories in height. It was put up in the time between 1837 and 1840. An orchard was planted, some trees of which are supposed to remain to this day. Rev. Henry Harvey, historian of the Shawnees, was in charge of this mission.

In 1854, the Shawnees ceded their Kansas River reservation to the United States. In return they were granted a diminished reserve of two hundred thousand acres of the same reservation between the State-line and a line parallel thereto thirty miles to the westward. This line fell four miles east of Lawrence. This smaller reservation included 24,138.31 acres to be allotted to the Absentee Shawnees on their return to it for their home. Many did not return. Their land was sold under acts of Congress, of April 7, 1869, and March 3, 1879. By the terms of the treaty the Shawnees were permitted to take their lands in severalty—two hundred acres to each individual. Any band could have this proportion set off in a body for use of its members in common. Under these provisions the tribe gradually disposed of the diminished reserve. By 1870 most of the Shawnees had gone to the Indian Territory. There they merged themselves with the Cherokees. The Black-Bob band took their lands in common, as did another small band. The border troubles before and during the Civil War made it impossible for these Shawnees to remain on their land, and they went to the Indian Territory. Squatters took possession of the vacated lands. For a quarter of a century there was no settlement of the matter. Speculators and grafters flourished at the expense of the Indians. The matter was a standing scandal, settled finally by Congress and the Courts, and greatly to the disadvantage of the Black-Bob Shawnee. So it has ever been with the Indians within the bounds of the United States.[9]

The Shawnees are one of the most interesting tribes of North American Indians. Their language is perhaps the finest and most pleasing to the ear of all Indian languages. The tribe is separated into five divisions or phratries. These had certain positions in the council house, and are as follows:

1. Chilahcahtha, or Chillicothe.
2. Kispokotha, or Kispogogi.
3. Spitotha, or Mequachake.
4. Bicowetha, or Piqua.
5. Assiwikale, or Hathawekela.

There are thirteen clans or gentes in the tribe, as follows:

1. Wolf, or M'-wa-wä'.
2. Loon, or Ma-gwä'.
3. Bear, or M'-kwä'.
4. Buzzard, or We-wä'-see.
5. Panther, or M'-se'-pa.

[9] For a full statement of the extinction of the title to the Black Bob lands see Kansas Historical Collections, Vol. VIII, pp. 93, 94, 95. Article by Anna Heloise Abel.

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6. Owl, or M'-ath-wa'.
7. Turkey, or Pa-la-wä'.
8. Deer, or Psake-the'.
9. Raccoon, or Sha-pä-ta'.
10. Turtle, or Na-ma-thä'.
11. Snake, or Ma-na-to'.
12. Horse, Pe-se-wä'.
13. Rabbit, or Pa-täke-e-ne-the'.

The Delawares

The name *Delaware* is of English origin, coming from the voyage of Lord Delaware to the Delaware River region. The true name of the Delaware—what he calls himself—is *Lenapé*. In the pronunciation of this name the *a* is as in father. The final *e* is a separate syllable, and is sounded as *a* in *fame*. The accent of the word, Lenape, is on the *a*.

The name often appears in the early writings with the adjective prefix lenni. The exact meaning of this word has been the subject of much discussion. Mr. Heckewelder is the best authority, and he says it means "original, pure." The tribe always insisted that it was the original Indian tribe or people. This distinction was conceded to them by many other tribes, even those of different linguistic stocks. The author has often heard them boast that they were the "Original men."

The Lenape were separated into three sub-tribes:—

1. Minsi, or the Wolf.
2. Unami, or the Turtle.
3. Unalachtigo, or the Turkey.

The word Minsi signifies "people of the stony country," mountaineers, for the Minsi lived when first known to white men in the hill country about the head of the Delaware River. They were spoken of as Monseys, Minisinks, Munsees, and Muncies by the early writers.

The word *Unami* means "the people down the river." This people lived on the Delaware River below the Lehigh.

The word *Unalachtigo* implies a "people who live near the ocean." They lived originally near the present site of Wilmington, Delaware.

It was with the Unami and the Unalachtigo that William Penn made his famous treaty. The Minsi had no part in that transaction. It was not until 1737 that they were called on for cessions of land.[10]

The Wolf, the Turtle, and the Turkey were then totemic animals of the Delawares. In theory the Minsi sub-clan were descended from the Wolf—not the wolf as we know it, but an ancient animal with supernatural powers. And so with the Unami, and Unalachtigo; they came from the Turtle and the Turkey. The Unami were accorded the most

[10] This follows Brinton's *Lanape and their Legends*. It is the best authority.

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honorable place, being descended from the great Turtle, the primal being, older than the earth as we know it, and who yet bears the world on its back as it stands deep in the primeval ocean. And these animals were referred to in metaphor—by or to some property or characteristic they possessed—and the metaphorical expression attached to the sub-clans, thus:

1. Wolf,	Tuk-sit,	Round-paw.
2. Turtle,	Pa-ko-an-go,	The Crawler.
3. Turkey,	Pul-la-ue,	Non-chewing.

The sub-tribes are composed of clans—or are separated into clans or gentes. Each sub-tribe has twelve clans, as follows:

I. Wolf

1. Mä-an′-greet,	Big feet.
2. Wee-sow-het′-ko,	Yellow Tree.
3. Pa-sa-kun-a′-mon,	Pulling Corn.
4. We-yar-nih′-kä-to,	Care Enterer.
5. Toosh-war-ka′-ma,	Across the River.
6. O-lum′-a-ne,	Vermilion.
7. Pun-ar′-you,	Dog Standing by Fireside.
8. Kwin-eek′-cha,	Long Body.
9. Moon-har-tar′-ne,	Digging.
10. Mon-har′-min,	Pulling up Stream.
11. Long-ush-har-kar′-to,	Brush Log.
12. Maw-soo-toh′,	Bringing Along.

II. Turtle

1. O-ka-ho′-ki,	Ruler.
2. Ta-ko-ong′-o-to,	High Bank Shore.
3. See-har-ong′-o-to,	Drawing down Hill.
4. Ole-har-kar-me-kar-to,	Elector.
5. Mar-har-o-luk-ti,	Brave.
6. Toosh-ki-pa-kwis-i,	Green Leaves.
7. Tung-ul-ung′-si,	Smallest Turtle.
8. We-lun-ung′-si,	Little Turtle.
9. Lee-kwin-a-i′,	Snapping Turtle.
10. Kwis-aese-kees′-to,	Deer.

Two clans have been long extinct, and their names have not been preserved.

III. Turkey

1. Mo-har-ä′-lä,	Big Bird.
2. Le-le-wa′-you,	Bird's Cry.
3. Moo-kwung-wa-ho′-ki,	Eye Pain.

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4. Moo-har-mo-wi-kar′-nu,	Scratch the Path.
5. O-ping-ho′-ki,	Oppossum Ground.
6. Muh-ho-we-kä′-ken,	Old Shin.
7. Tong-o-nä′-o-to,	Drift Log.
8. Nool-a-mar-lar′-mor,	Living in Water.
9. Muh-krent-har′-ne,	Root Digger.
10. Mun-karm-huk-se,	Red Face.
11. Koo-wa-ho′-ke,	Pine Region.
12. Oo-chuk-ham,	Ground Scratcher.

The Delaware composed in their own tongue, with the aid of hieroglyphics, the *Walum Olum,* a history of their tribe, and an account of its migrations. It is the only aboriginal record of the North American Indians. Its value is just beginning to impress students.

In 1682, the seat of the Delaware government was at Shackamaxon, now Germantown, Pennsylvania. There Penn found them and made his famous treaty with them. Although extremely warlike, they had surrendered their soverignty to the Iroquois about 1720. They were pledged to make no war, and they were forbidden to sell land. All the causes of this step were not known. Because of it the Iroquois claimed to have made women of the Delawares. They freed themselves of this opprobrium in the French and Indian War.

The steady increase of the whites drove the Delawares from their ancient seat. They were crowded off the waters of the Delaware, and settled on the Susquehanna. As early as 1742 they were to be found about Wyoming. It was soon impossible for them to remain there, and they went back of the mountains to the head waters of the Allegheny. They slowly spread down this stream, living for some time on the Beaver. At that time the Wyandot were holding the western country for their kindred, the Iroquois. Seeing the Delawares hard pressed, the Wyandot tendered them a home, and suggested that they seat themselves on the Tuscarawas River, an upper branch of the Muskingum. They were later visited by the Moravians, who established missions among them, chiefly those living on the Tuscarawas. These missions were in a flourishing condition when the Revolutionary War came on. That struggle put these Christian Indians in a false position. They wished to remain on their farms and by their churches. The heathen Indians about Upper Sandusky accused them of being in the confidence of the whites of Western Pennsylvania. At the same time the whites accused them of being in league with the heathen Indians. They became an offense to both parties. Divisions in the tribe had already appeared. White Eyes, the great chief, the friend of the Americans, was gradually superseded by Hopocan, or Captain Pipe, as head chief. Pipe was the head of the war faction, laboring in the interest of the British at Detroit. Through his influence the Christian Indians and their teachers were forcibly removed to Upper Sandusky. Returning in the winter to gather their corn, they were set upon by a force from Western Pennsylvania under Captain Williamson. Nearly

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a hundred were murdered in cold blood after capture and confinement in a cabin. This only provoked more frequent and deadly Indian forays, to stop which, another force was raised in Pennsylvania to invade the Indian country about Upper Sandusky. Colonel William Crawford commanded this expedition, which met with disaster. Crawford was captured, and Captain Pipe burned him at the stake.

The first treaty ever made with an Indian tribe by the United States was concluded with the Delawares at Fort Pitt, September 17, 1778. It was signed by Andrew Lewis, Thomas Lewis, White Eyes, The Pipe, and John Kill Buck. It provided for the formation of an Indian State with a representative in Congress.

The Delawares had part in all the wars against the Western settlers. These wars were terminated by Wayne's victory. Prior to this the Delawares had commenced to settle on the White River, in Indiana, by permission of the Miami and Piankashaw. They continued their westward migration, crossing the Mississippi on the invitation of the Spanish Government of Louisiana. One Lorimer, who was afterwards commandant of the post at St. Genevieve, induced the Delawares and Shawnees to accept the offer of the Spaniards. There were Delawares about St. Louis before this, however. In 1788 a band of them attacked residences on the outskirts of that town. A Frenchman named Duchouquet was slain at Chouteau's Pond by a band of Delawares in that year. Here is an incident in the life of the Delaware band at Cape Girardeau:

> The Delawares and Shawnees built several villages in the neighborhood of Cape Girardeau; and, after the establishment of the United States government, so sensible were they of the good results of its working, that they determined to fashion a government as near like it as their knowledge and circumstances admitted, and resolved to adopt the habits of civilization. They gave up the chase, buried the tomahawk, and devoted themselves for a little season to the pursuits of agriculture. In their first criminal court, three men were convicted of murder, and without any time for repentance they were taken back of one of the villages, there tomahawked, their bodies burnt upon a pile, and the ashes scattered to the winds.

It is stated in the treaty of November 7, 1825, with the Shawnees, that the Delawares abandoned the Cape Girardeau reservation in 1815. Most of these found their way to Texas by the year 1820. Some of them wandered westward, and settled in Southwest Missouri. On the 3d of October, 1818, those members of the tribe still residing on the White River, in Indiana, made a treaty at St. Mary's, Ohio, ceding their lands and agreeing to remove west of the Mississippi to a home to be provided for them, but which was not described. Under the terms of this treaty, the remnant of the Delawares settled on a reservation on the James Fork of the White River. This tract embraced parts of the following Missouri counties: Greene, Taney, Christian, Barry, McDonald, Newton, Jasper, and Lawrence. They were followed there by the Peorias and Piankashaws, or portions of these tribes, for in 1828, they had towns on the White River. That of the Piankashaws was just above the present

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Forsythe, and a village some six miles below contained both Piankashaws and Peorias. The Delawares were not well pleased with the Ozark country, but the old members of the tribe with whom this author has discussed the matter could never give any satisfactory reason as to why they were displeased. Most of them said there was plenty of game, but the country was too hilly. It was perhaps because the Indian loves to roam and move from place to place.

September 24, 1829, there was concluded at Council Camp on the James Fork of White River, between the present towns of Springfield and Ozark, a supplementary article to the St. Mary's treaty. By the terms of this supplementary article the Delawares gave up their reservation in Missouri. In consideration of this cession they were given a reservation in the fork of the Missouri and Kansas rivers described as follows: "The country in the fork of the Kansas and Missouri Rivers, extending up the Kansas River, to the Kansas Line, and up the Missouri River to Camp Leavenworth, and thence by a line drawn Westwardly, leaving a space ten miles wide, north of the Kansas boundary line, for an outlet."

The tribe moved to this reservation immediately, the representatives sent out to make an examination of it endorsing their approval on the treaty on the 19th of October at Council Camp, at the fork of the Kansas and Missouri rivers. In 1830 many of the scattered Delawares arrived, and by 1832, the tribe were almost all on this Kansas River reservation. It was a magnificent tract of land, and many times larger than the tribe required. Their settlements were made in what is now Leavenworth County, and in the western part of Wyandotte County.

In their new home the Delawares came to rely to some extent on the buffalo, to secure which they had been given the outlet north of the Kansa lands. On their excursions into the buffalo country they met the wild tribes of the Plains. These natives resented the appearance in their ancient domain of the newcomers. They made war on the Delaware hunters. In the fall of 1831, two Delawares and their wives were encamped on the buffalo-plains and engaged in hunting. The camp was attacked by the Pawnees, who killed the two men and one of the women. The woman having the child was a little distance from the camp at the time, and she escaped, with her child. There was a straggling camp of Delawares at that time on the Arkansas, in the Creek country. On the 22d of October Rev. Isaac McCoy saw the Delaware woman, who had escaped the Pawnee massacre, at that village. She had carried her child from the upper waters of the Republican, subsisting it and herself on wild grapes and berries. She had been afraid to flee in the direction of her home toward the Missouri, and to escape the Pawnees she had gone in a direction they least expected her to take.

These persecutions the Delawares resolved to put an end to. In 1832 Suwaunock or "Capt. Suwaunock," as he signed the supplementary treaty of 1829, assembled the Delaware warriors to make war on the Pawnees for these and other murders. He led his force against the Republican Pawnee village—the town where Pike had hauled down the

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Spanish flag and raised the Stars and Stripes. He fell upon the Pawnee town and destroyed it. Some of the Pawnee warriors were away on a buffalo hunt, but if they had been present the result would have been the same. No Indians surpassed the Delawares in courage and warlike spirit. They raided far into Mexico, and one was present at the murder of Dr. Whitman, at the Mission near Walla Walla.

The Delaware and Shawnee warriors were employed by the Government of Mexico to hunt and kill Apaches.

John T. Irving, Junior, saw peace made between the Delawares and the Pawnees. It was at Fort Leavenworth, in the year 1833. The Pawnees claimed all the land between the Platte and Kansas rivers. They regarded the Delawares as trespassers when they went out over their outlet to hunt the buffalo, which was the cause of their war on the Delaware hunters. Irving says the Pawnees had slain many of the Delawares. It was to compose these quarrels that the Indian Commissioner visited the various tribes and summoned them to Fort Leavenworth to meet one another in council and bury the tomahawk. In the council—

"The Delaware warrior Sou-wah-nock then rose. He spoke of the destruction of the Grand Pawnee Village. He did not deny his agency in the deed. 'The Pawnees,' said he, 'met my young men upon the hunt, and slew them. I have had my revenge. Let them look at their town. I found it filled with lodges. I left it a heap of ashes.' The whole speech was of the same bold, unflinching character, and was closed in true Indian style. 'I am satisfied,' said he. 'I am not afraid to avow the deeds I have done, for I am Sou-wah-nock, a Delaware warrior.' When he had finished, he presented a string of wampum to the Wild Horse, as being the most distinguished warrior of the Pawnee nation. When the slight bustle of giving and receiving the present had been finished the chief of the Republican village rose to answer his warrior enemy.

"His speech abounded with those wild bursts of eloquence which peculiarly mark the savages of North America, and concluded in a manner which spoke highly of his opinion of what a warrior should be. 'I have promised to the Delawares,' said he, 'the friendship of my tribe. I respect my promise, and I cannot lie, for I am a Pawnee chief!' "

At night the two tribes were caused to dance together. No finer description of a savage assembly is to be found in all history than Mr. Irving's account, which was set out in the account of the Pawnees, in this chapter.

On the 14th of December, 1843, the Delawares sold to the Wyandot thirty-nine sections of land off the east end of their reserve for $48,000. This was to provide the Wyandot a future home.

Fremont provided himself with Delaware guides on one of his exploring expeditions. Among these was Sagundai, as fearless and intrepid a warrior as any land ever produced. An emergency arose in California, and Fremont was compelled to communicate with Senator Benton. How could he do it? He inquired of his Delaware warriors if they could return without him, and carry his message. Sagundai strode forth and said he could go alone. And he did. He escaped death at the hands of

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savage tribes a dozen times. He took many scalps from his pursuers. He rode over deserts and crossed mountains reaching up to the stars. Coming out upon the Great Plains, he was set upon by a Comanche band. His horse's strength had been carefully conserved, but here was a supreme test. The Comanche chief was magnificently mounted on a black horse with haughty head, flowing mane, and tail that swept the ground. In the pursuit he far out-rode his warriors. Sagundai saw that he must be overtaken in the race, and was planning his course of action when his horse stepped in a prairie-dog hole and broke his leg, throwing his rider in his fall. The Comanche saw his advantage and bore down upon the unhorsed Delaware to dispatch him with his lance. But Sagundai was not at the end of his resources. He stood aside just in time to avoid the deadly spear. Before the Comanche could recover from his stroke Sagundai shot him dead, seized the long dragging lariat and brought up the Comanche horse with a round turn, mounted him, and fled like the wind. He escaped. Upon his arrival among his own people, the Delawares held the last war and scalp dances in their history. These were held where Edwin Taylor now lives, on the hill, at Edwardsville, in Wyandotte County.

Sagundai regarded the scalp of the Comanche as a sort of sacred trophy—medicine—and carried it until his death, when it was buried with him. And the message of Fremont was handed to Senator Benton in St. Louis by the faithful Delaware.

Black Beaver was another noted Delaware. He was familiar with every stream and mountain in the Great West. He guided many military expeditions and private caravans. He accompanied Audubon in his tours to study American birds. Once they were at Galveston. Audubon was to take ship there for New York. The next year he and Black Beaver were to start from New York and tour the country back to the Missouri. The Delaware had never before seen a ship. He studied those in port some days. Finally, he asked Audubon if people ever died on board a ship during the voyage, and was told they did. "What is done with the dead?" he inquired. "They are cast in to the sea," said Audubon. After a moment's reflection Black Beaver said he would never enter a ship, and Audubon lost his faithful guide.

The Rev. John G. Pratt was sent from the Shawnee Baptist Mission to found one among the Delawares. The first building of this mission was erected near the present town of Edwardsville, in Wyandotte County. Later building and mission were moved up on the prairie and established near the present town of Maywood. Mr. Pratt remained there until his death, many years after the departure of the Delawares from Kansas. Once he and a Delaware attendant were making some repairs on the poultry-house, and found a large blacksnake snugly coiled in a hen's nest. Mr. Pratt threw the snake outside and told the Delaware to kill it. "Not so," said the Delaware. "It is Manitou, Manitou! Not must kill Manitou!" It was one of the Delaware's gods, and he could not afford to kill his god. When the Indian became a Christian he only added that

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creed. He did not relinquish his old faith because he had acquired a new one. He kept both.

By a treaty concluded May 6, 1854, the Delawares ceded all their remaining Kansas River lands to the United States, excepting a diminished reserve described as follows: "That part of said country lying east and south of a line beginning at a point on the line between the Delawares and the half-breed Kansas, forty miles, in a direct line, west of the boundary between the Delawares and Wyandots, thence north ten miles, thence in an easterly course to a point on the south bank of Big Island Creek, which shall also be on the bank of the Missouri River where the usual high-water line of said creek intersects the high-water line of said river." Four sections of land were also sold to the Christian Indians, or Munsees, at $2.50 an acre. The Munsees sold the tract to A. J. Isacks, and the sale was confirmed by act of Congress, June 8, 1858.

On the 30th of May, 1860, the Delawares concluded another treaty with the United States. By its terms the individuals of the tribe were to take a certain portion of their diminished reserve in severalty. Provision was made for about two hundred Absentee Delawares then in the Indian country, now Oklahoma, and the remainder of their lands were sold to the Leavenworth Pawnee & Western Railway Company. The Delawares were not satisfied with their life on separate allotments, and on July 4, 1866, another treaty was entered into whereby all their lands in Kansas could be disposed of. The final divestment of the Delawares of their remaining lands followed ways more devious, and more detrimental to their rights and interests than was usual under the shameful policy always pursued by the United States toward the Indians. The Delawares moved to the Indian Territory and bought a right in the Cherokee Nation, becoming citizens of said Nation. They were known as Cherokee-Delawares, and live chiefly about Dewey and Bartlesville, Oklahoma.

The Wyandots

The Wyandot tribe was anciently divided into twelve clans, or gentes. Each of these had a local government, consisting of a clan council presided over by a clan chief. These clan councils were composed of at least five persons, one man and four women, and they might contain any number of women above four. Any business pertaining purely to the internal affairs of the clans was carried to the clan councils for settlement. An appeal was allowed from the clan council to the tribal council. The four women of the clan council regulated the clan affairs and selected the clan chief. The office of clan chief was in a measure hereditary, although not wholly so. The tribal council was composed of the clan chiefs, the hereditary sachem, and such other men of the tribe of renown as the sachem might with the consent of the tribal council call to the council-fire. In determining a question the vote was by clans, and not by individuals. In matters of great importance it required a unanimous vote to carry a proposition.

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The names of the ancient clans of the Wyandot tribe are as follows:

1. Big Turtle.
2. Little Turtle.
3. Mud Turtle.
4. Wolf.
5. Bear.
6. Beaver.
7. Deer.
8. Porcupine.
9. Striped Turtle.
10. Highland Turtle, or Prairie Turtle.
11. Snake.
12. Hawk.

These clan names are all expressed in Wyandot, words so long and hard to properly pronounce that they are omitted here. They are written in what the Wyandots call the Order of Precedence and Encampment, as I have recorded them above. On the march the warriors of the Big Turtle Clan marched in front, those of the Little Turtle Clan marched next to them, and so on down to the last clan, except the Wolf Clan, which had command of the march and might be where its presence was most necessary. The tribal encampment was formed "on the shell of the Big Turtle," as the old Wyandots said. This means that the tents were arranged in a circular form as though surrounding the shell of the Big Turtle. The Big Turtle Clan was placed where the right fore-leg of the turtle was supposed to be and the other clans were arranged around in their proper order, except the Wolf Clan, which could be in the center of the inclosure on the turtle's back, or in front of it where the turtle's head was supposed to be, as it was thought best. In ancient times all their villages were built in this order, and in the tribal council the clans took this order in seating themselves, with the sachem either in the center or in the front of the door of the council chamber.

These clans were separated into two divisions, or phratries. The first phratry consisted of the following tribes:

1. Bear.
2. Deer.
3. Snake.
4. Hawk.

The second phratry consisted of the following tribes:

1. Big Turtle.
2. Little Turtle.
3. Mud Turtle.
4. Beaver.
5. Porcupine.
6. Striped Turtle.
7. Highland Turtle, or Prairie Turtle.

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The Mediator, Executive Power, and Umpire of the tribe was the Wolf Clan, which stood between the phratries, and bore a cousin relation to each.

All the clans of a phratry bore the relation of brothers to one another, and the clans of one phratry bore the relation of cousins to those of the other phratry.

Their marriage laws were fixed by this relationship. Anciently a man of the first phratry was compelled to marry a woman of the second phratry, and vice versa. This was because every man of a phratry was supposed to be the brother of every other man in it, and every woman in the phratry was supposed to be his sister. The law of marriage is now so modified that it applies only to the clans, a man of the Deer Clan being permitted to marry a woman of Bear, Snake, Hawk, or any other clan but his own. Indeed, even this modification has now almost disappeared. If a man of the Deer Clan married a woman of the Porcupine Clan, all of his children were of the Porcupine Clan, for the gens always follows the woman and never the man. The descent and distribution of property followed the same law; the son could inherit nothing from his father, for they were always of different clans. A man's property descended to his nearest kindred through his mother. The woman is always the head of the Wyandot family.

Five of the ancient clans of the Wyandots are extinct. They are as follows: (1) Mud Turtle; (2) Beaver; (3) Striped Turtle; (4) Highland, or Prairie Turtle; (5) Hawk.

Those still in existence are as follows: (1) Big Turtle; (2) Little Turtle; (3) Wolf; (4) Deer; (5) Bear; (6) Porcupine; (7) Snake.

The present government of the Wyandot tribe is based on this ancient division of the tribes. An extract from the Constitution may be of interest. It was adopted September 23, 1873:

It shall be the duty of the said Nation to elect their officers on the second Tuesday in July of each year. That said election shall be conducted in the following manner. Each Tribe (clan), consisting of the following Tribes: The Big and Little Turtle, Porcupine, Deer, Bear, and Snake, shall elect a chief; and then the Big and Little Turtle and Porcupine Tribes shall select one of their three chiefs as a candidate for Principal Chief. The Deer, Bear, and Snake Tribes shall also select one of their three chiefs as candidate for Principal Chief; and then at the general election to be held on the day above mentioned, the one receiving the highest number of votes cast shall be declared the Principal Chief; the other shall be declared the Second Chief. The above-named tribes shall on the above named election day elect one or more sheriffs.

The Wolf Tribe shall have the right to elect a chief whose duty shall be that of Mediator.

In case of misdemeanor on the part of any Chief, for the first offense the Council shall send the Mediator to warn the party; for the second offense the party offending shall be liable to removal by the Mediator, or Wolf and his Clan, from office.

The origin of these clans is hidden in the obscurity of great antiquity. They are of religious origin. We learn something of them from the

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Wyandot mythology, or folk-lore. The ancient Wyandots believed that they were descended from these animals, for whom their clans were named. The animals from which they were descended were different from the animal of the same species to-day. They were deities, zoological gods. The animals of the same species are descended from them. These animals were the creators of the universe. The Big Turtle made the Great Island, as North America was called, by the Wyandots, and he bears it on his back to this day. The Little Turtle made the sun, moon, and many of the stars. The Mud Turtle made a hole through the Great Island for the sun to pass back to the East through after setting at night, so he could arise upon a new day. While making this hole through the Great Island the Mud Turtle turned aside from her work long enough to fashion the future home of the Wyandots, their happy hunting-grounds, to which they go after death. The sun shines there at night while on his way back to the East. This land is called the land of the Little People, a race of pigmies created to assist the Wyandots. They live in it, and preserve the ancient customs, habits, beliefs, language and government of the Wyandots for their use after they leave this world by death. These Little People come and go through the "living rock," but the Wyandots must go to it by way of a great underground city where they were once hidden while the works of the world were being restored after destruction in a war between two brothers who were gods.

All Wyandot proper names had their foundation in this clan system. They were clan names. The unit of the Wyandot social and political systems was not the family nor the individual, but the clan. The child belonged to its clan first, to its parents afterwards. Each clan had its list of proper names, and this list was its exclusive property which no other clan could appropriate or use. They were necessarily clan names.

The customs and usages governing the formation of clan proper names demanded that they be derived from some part, habit, action or peculiarity of the animal from which the clan was supposed to be descended. Or they might be derived from some property, law, or peculiarity of the element in which such animal lived. Thus a proper name was always a distinctive badge of the clan bestowing it.

When death left unused any original clan proper name, the next child born into the clan, if of the sex to which the vacant name belonged, had such vacated name bestowed upon it. If no child was born, and a stranger was adopted, this name was given to such adopted person. This was the unchangeable law, and there was but one proviso or exception to it. When a child was born under some extraordinary circumstances, or peculiarity, or with some distinguishing mark, or a stranger adopted with these, the council-women of the clan informed themselves of all the facts and devised a name in which all these facts were imbedded. This name was made to conform to the ancient law governing clan proper names if possible, but often this could not be done. These special names died with their owners, and were never perpetuated.

The parents were not permitted to name the child; the clan bestowed the name. Names were given but once a year, and always at the ancient

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anniversary of the Green Corn Feast. Anciently, formal adoptions could be made at no other time. The name was bestowed by the clan chief. He was a civil officer of both his clan and the tribe. At an appointed time in the ceremonies of the Green Corn Feast each clan chief took an assigned position, which in ancient times was the Order of Precedence and Encampment, and parents having children to be named filed before him in the order of the ages of the children to be named. The council-women stood by the clan chief, and announced to him the name of each child presented, for all clan proper names were made by the council-women. This he could do by simply announcing the name to the parents, or by taking the child in his arms and addressing it by the name selected for it.

The adoption of a stranger was into some family by consent, or at the instance of the principal woman of the family. It was not necessary that the adoption be made at the Green Corn Feast. The adoption was not considered complete, however, until it was ratified by the clan chief at the Green Corn Feast. This ratification might be accomplished in the simple ceremonial of being presented at this time to the clan chief by one of the Sheriffs. His clan name was bestowed upon him, and he was welcomed in a few well-chosen words, and the ceremony was complete. Or the adoption might be performed with as much display, ceremony and pomp as the tribal council might, from any cause, decree. The tribal council controlled in some degree the matter of adoptions. In ancient times, when many prisoners of war were brought in it determined how many should be tortured and how many adopted.

Lalemant says the original and true name of the Wyandots is Ouendat.

In history the Wyandots have been spoken of by the following names:

1. Tionnontates,
2. Etionontates,
3. Tuinontatek,
4. Dionondadies,
5. Khionontaterrhonons,
6. Petuneux or Nation du Petun (Tobacco).

They call themselves:—

1. Wehn'-duht, or
2. Wehn'-dooht.

They never accepted the name Huron, which is of French origin.

The Wyandots have been always considered the remnant of the Hurons. That they were related to the people called Hurons by the French, there is no doubt. After having studied them carefully for almost twenty years, I am of the opinion that the Wyandots are more closely related to the Senecas than they were to the ancient Hurons.

Both myth and tradition of the Wyandots say they were "created" in the region between St. James's Bay and the coast of Labrador. All

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their traditions describe their ancient home as north of the mouth of the St. Lawrence.

In their traditions of their migrations southward they say they came to the island where Montreal now stands. They took possession of the country along the north bank of the St. Lawrence from the Ottawa River to a large lake and river far below Quebec.

On the south side of the St. Lawrence lived the Senecas, so the Wyandot traditions recite. The Senecas claimed the island upon which the city of Montreal is built. The Senecas and Wyandots have always claimed a cousin relation with each other. They say that they have been neighbors from time immemorial. Their languages are almost the same, each being the dialect of an older common mother-tongue. They are as nearly alike as are the Seneca and Mohawk dialects. The two tribes live side by side at this time, and each can speak the tongue of the other as well as it speaks its own.

When the Wyandots came to the St. Lawrence, and how long they remained there, cannot now be determined. Their traditions say that they were among those that met Cartier at Hochelaga in 1535. According to their traditions, Hochelaga was a Seneca town.

It has been the opinion of writers upon the subject that the Wyandots migrated from the St. Lawrence directly to the point where they were found by the French. Whatever the fact may be, their traditions tell a different story. Their route was up the St. Lawrence, which they crossed, and along the south shore of Lake Ontario. They held this course until they arrived at the Falls of Niagara, where they settled and remained for some years.

The Wyandots removed from the Falls of Niagara, the site now occupied by Toronto, Canada. Their removal from Niagara was in consequence of the Iroquois coming into their historic seat in what is now New York. This settlement they called by their word which means "plenty," or "a land of plenty." They named it so because of the abundance of game and fish they found, and of the abundance of corn, beans, squashes and tobacco they raised. The present name of that city is only a slight change of the old Wyandot name, which was pronounced "To-run-to."

As the Iroquois pushed farther westward, the Wyandots became uneasy because of former wars with them and finally abandoned their country at Toronto and migrated northward. Here they came in contact with the Hurons, who tried to expel them, but were unable to do so. The French found them in alliance with the Hurons, but record that they had but recently been at war with that people. When the Jesuits went among the Hurons the Wyandots were a part of the Huron Confederacy. Their history from this point is well known.

If it turns out that there is any reliance to be placed in the traditions of the Wyandots, they were found in their historic seat about one hundred and five years from the time they were first seen by the French at Montreal in 1535. Their migration from the St. Lawrence, by way of

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the Niagara Falls and Toronto to the Blue Mountains on the shores of the Nottawassaga Bay, occurred after the French first came to Canada.

The Wyandots were involved in the general ruin wrought by the Iroquois.

The Wyandots came to Kansas from Upper Sandusky, Ohio, in the summer of 1843. They stopped about Westport, Mo., and some of them camped on the south and east side of the Kansas River north of the Shawnee line, the land being now in Kansas City, Kansas. By the terms of the treaty made at Upper Sandusky, March 17, 1842, the Wyandots were given one hundred and forty-eight thousand acres of land, to be located in the Indian country which became Kansas. The lands there to be had did not suit them. Their reservation was located on the Neosho. They were far advanced toward civilization, and did not wish to live so far from a civilized community. They had attempted to purchase a strip of land seven miles wide by twenty-five miles long adjoining the State of Missouri from the Shawnee, but that tribe finally refused to sell. The Wyandots justly complained that they had given both the Shawnees and Delawares homes in Ohio, and now neither tribe really desired to sell them a home in the West. But the Delawares did, at length sell them thirty-nine sections in the fork of the Kansas and Missouri rivers, now the eastern part of Wyandotte County, for forty-eight thousand dollars. They moved on this tract in the winter of 1843-44.

The first Mission ever founded in the world by the Methodist Episcopal Church was among the Wyandots at Upper Sandusky. This mission was brought bodily to Kansas by the Wyandots. It is now the Washington Avenue Methodist Episcopal Church, Kansas City, Kansas. The division in the Methodist Episcopal Church caused dissension in the Wyandot nation, and the Church South, in that Nation, organized at that time. This Church also is an active organization in Kansas City, Kansas, at this time. This author has in his collection of historical papers the records of the Sandusky Mission and the documents relating to the separation of the Church in Kansas.

By treaty concluded by the Wyandots with the United States at Washington, D. C., January 31, 1855, they dissolved their tribal relations and became citizens of the United States. They took their lands in severalty, and the entire reservation was surveyed and allotted to the members of the tribe as citizens. The titles to the land held in Wyandotte County are based on the U. S. patents to these allotments. The towns of Armstrong, Armourdale, Wyandotte, and old Kansas City, Kansas, were consolidated by act of the legislature into the present Kansas City, Kansas.

The unsettled times in Kansas prior to and during the Civil War worked hardship on many of the Wyandots. They lost their property and became very poor. By treaty made February 23, 1867, the Government provided a reservation of twenty thousand acres of land on the Neosho, in what is now Oklahoma, for these Wyandots. They im-

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mediately gathered there and resumed their tribal relations. Most of the Wyandot people are now to be found there.

The Pottawatomies

The history of the Pottawatomies, even after they were in communication with the Europeans, is difficult and often obscure. Their name signifies *People of the place of the fire*. They came to be generally

Abram Burnett, Chief of the Pottawatomies

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

known as the "Fire Nation." There is reason to believe that the Pottawatomies, the Chippewas, and the Ottawas originally formed one tribe. As one people they lived in that country about the upper shores of Lake Huron. The separation into three parts probably occurred there, and the Jesuits found them at Sault St. Marie in 1640. In 1670 the tribe or some portion of it, was living on the islands at the mouth of Green Bay. They were gathered about the Mission of St. Francis Xavier. The movement of the tribe was to the southward, and by the year 1700, or about that time, they were seated around the south end of Lake Michigan. Some of them lived far down in what is now the

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State of Indiana. They were active in the interest of the French to and through the French and Indian War. In the Revolution they were on the side of the British, and they were against the United States until after close of the War of 1812. They lacked unity of action always, and when settlers crowded in upon them they scattered in various directions. They sold their lands in small lots and realized little from them. They are yet scattered abroad. By the year 1840 most of them were west of the Mississippi. That portion of the tribe which settled in Iowa became known as the Prairie band, while those in Kansas were known as the Pottawatomie of the Woods. The Prairie band first moved to the Platte Purchase, in Western Missouri, and their agency was near the present City of St. Joseph. From that point they were removed to

OLD POTTAWATOMIE MISSION FIVE MILES WEST OF TOPEKA. BUILT IN 1849. NOW USED AS BARN

[From Photograph by Walcott, Topeka, 1916]

what is now Pottawatomie County, Iowa, their chief settlement being at and about Council Bluffs.

Their Kansas reservation resulted from the treaty of 1837, by which they ceded their lands in Indiana. For these they were to have a tract on the Osage River, just west of Missouri, "sufficient in extent and adapted to their habits and wants." Pursuant to the terms of this treaty a tract of land about thirty-six by forty-two miles in extent was surveyed for the Pottawatomies. It was located some eighteen miles west of the Missouri line. Its south line was the north line of the lands assigned to the New York Indians, and passed about nine miles north of the present town of Iola. The north line of the tract ran about six miles south of Ottawa. The reservation contained about fifteen hundred square miles. Some of the tribe moved to this tract of land, settling along the Osage, and on what came to be known as Big and Little Osage Creeks. Also on Sugar Creek and on Pottawatomie Creek, in

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Miami County. The Iowa band had not disposed of the lands held about Council Bluffs. It was clear that there never could be a united nation under those conditions.

In June, 1846, a treaty was held with the two divisions of the tribe. It was concluded at the Pottawatomie Agency, near Council Bluffs, on the 5th day of June with the Iowa or Prairie band; and on the 17th of June with the Kansas band, on Pottawatomie Creek. In this treaty there was an attempt to bring together the tribes formed by the ancient division of the Pottawatomies. It provided that the various bands of the Pottawatomie Indians, known as the Chippewas, Ottawas, and Pottawatomies, the Pottawatomies of the Prairie, the Pottawatomies of the Wabash, and the Pottawatomies of Indiana, being the same people by kindred, by feeling, and by language, should unite and be consolidated into one people to be known as the Pottawatomie Nation. Their Kansas and Iowa lands were ceded to the United States. In lieu of these lands they were assigned a new reservation in Kansas, described as follows:

"A tract or parcel of land containing five hundred and seventy-six thousand acres, being thirty miles square, and being the eastern part of lands ceded to the United States by the Kansas tribe of Indians, lying adjoining the Shawnees on the south, and the Delawares and Shawnees on the east, on both sides of the Kansas River."

This tract was the east thirty miles of the old Kansas Indian reservation. It lay immediately west of Topeka, and it comprises one of the most fertile tracts in Kansas. The Pottawatomie Nation was to move to this new reservation within two years, and certain annuities were to be paid the individuals of the Nation one year after they had settled there. The Kansas band began to move almost immediately, but it was the full two years before the Nation had assembled on the Kansas River. Some of the Kansas band settled west and southwest of Topeka. There the Baptists established a Mission, some of the buildings of which still stand.

Jonas Lykins established the Baptist Mission on the reservation of the Pottawatomies. He was the brother of Dr. Johnston Lykins, of considerable note in the very early history of Kansas. Jonas Lykins had lived with the Pottawatomies on their reservation on the Osage. The activities of the Baptists there were near the present town of Osawatomie. From that point Jonas Lykins came to the new location, arriving on the 15th of November, 1847. He settled on the northeast quarter of section seventeen (17), township twelve (12), range fifteen (15), in what is now Shawnee County. In the Spring of 1848 he built a large double log-house on the northwest quarter of section thirty-two (32), township eleven (11), range fifteen (15). In 1849 he built a two-story stone house, forty by eighty feet in dimensions, which is still standing. In 1848 the Rev. Robert Simmerwell, his daughter Sarah, and Miss Elizabeth McCoy, arrived at the Baptist mission. They organized and taught a school for the Pottawatomie children. Mr. Simmerwell was a blacksmith, and in 1848 set up a shop to follow his trade. After Lykins, the superintendents of the mission were Mr. Saunders, Mr. Alexander, Rev. John Jackson, and Rev. John Jones.

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REV. ROBERT SIMMERWELL

MRS. FANNIE SIMMERWELL

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The Catholics also founded a mission among them. This mission was at the junction of the three forks of the Wakarusa. It had been commenced on Sugar Creek, on the old first Kansas reservation, in 1837, by Father Christian Hoecken. He came north with one of the first parties, and in 1847 began the erection of mission buildings at the forks of the Wakarusa, in 1847. Some twenty log cabins were erected at that point. It was soon discovered that the mission was south of the reservation line, and on the Shawnee land. As the Pottawatomies could not collect their annuities until they had moved on to their own land, they abandoned their houses and moved north of the Kansas River. The Catholic Fathers established themselves at a beautiful site, now the town of St. Mary's. The mission has grown into one of the principal Catholic institutions of the West.

While the Pawnees had agreed to retire beyond the Platte as early as 1834, they seem to have been possessed of a determination to hold the valley of the Kansas River. No sooner had the Pottawatomies settled themselves about the mission at St. Mary's than the Pawnees began attacks upon them, intending to expel them, or at least hoping to make the new home so uncomfortable the Pottawatomies would abandon it. But the old Algonquian stock was ever courageous. The Pottawatomies accepted the challenge. They declared war on the Pawnees, and dug up the tomahawk. The Pawnee force was camped along the Big Blue, down which stream they always came to make war on the enemies in the valley of the Kansas. The Pottawatomies attacked at the Rocky Ford, in what is now Pottawatomie County. A fierce skirmish ensued, in which the superior firearms of the Pottawatomies gave them the advantage. While the Pawnees were not defeated, they did retreat from the field, passing westward to Chapman's Creek, where they made a stand. There they had a better country for the free movements of their horses, in their peculiar tactics. The Pottawatomies pursued, and when they came up with their foes a considerable battle ensued. The Pawnees had only horsemen, and at the Rocky Ford only mounted Pottawatomies had engaged them. The Pottawatomies had determined to settle once for all whether they could live on the Kansas, and had mustered their full strength, many on foot. These latter were stationed in some short bushy ravines under a high steep bank. The Pottawatomie horsemen so maneuvered that the Pawnees were drawn down the prairie along these gullies, when the Pottawatomie footmen lying in ambush there opened fire. The Pawnees were taken by complete surprise. Several of their foremost warriors were slain, but they did not give up the battle, which was fiercely contested with the mounted Pottawatomies, who were now much encouraged. They charged the Pawnees repeatedly, finally putting them to flight. The Pawnees disappeared northward over the prairies, and never more made a foray below the Big Blue. The Pottawatomies were never more molested by them. They lost some forty warriors in this effort to drive out the Pottawatomies. For many years a Pottawatomie chieftain who had distinguished himself in this campaign would decorate himself in true warrior style on the anniversary of the battle

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and ride to the western and northern boundary lines of the reserve to celebrate the victory and satisfy himself that their frontiers were clear.

The Pottawatomies have the social organization found in the tribes of the Algonquian family. The clans or gentes of the tribes are as follows:

1. Wolf.
2. Bear.
3. Beaver.
4. Elk.
5. Loon.
6. Eagle.
7. Sturgeon.
8. Carp. (Golden Carp.)
9. Bald Eagle.
10. Thunder.
11. Rabbit.
12. Crow.
13. Fox.
14. Turkey.
15. Black Hawk.

The Pottawatomies made a treaty in 1862 under which the greater portion of their reservation was disposed of. There was a disagreement in the tribe on the subject of land. The Prairie band refused to accept their land in severalty, and severed their relations with the other bands. They were given a reservation in common eleven miles square in Jackson County, Kansas, a part of the old home tract, and now reside upon it. It was provided that the other bands should or might become citizens of the United States and have their lands allotted to them. There was a surplus after the allotment, and this went through the usual process of graft in the final extinction of the Indian title.

In 1868 the Citizen Pottawatomies secured a reservation in what is now Oklahoma, to which they moved, and where they now live.

The Cherokees

The Cherokees belong to the Iroquoian linguistic family. No Indians in North America have a more interesting history. In prehistoric times they lived in what is now the State of Ohio, where they erected many mounds and other earthworks. Other tribes expelled them from the Ohio country. They retreated from the Ohio River up the Kanawha, settling about the headwaters of that stream and the Tennessee. They also claimed the country extending far down into Carolina, Georgia and Alabama. They were virtually expelled from their Eastern home by the United States, and were given a reservation in what is now Oklahoma, where they now live. They were one of the large tribes. The seven millions of acres there did not seem to satisfy them as to quantity of land. In 1836 they purchased the Osage lands known as the "buffer" tract, lying

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immediately east of the Osage reservation. The tract contained eight hundred thousand acres, and the Cherokees paid five hundred thousand dollars for it. But they never occupied the land. The tract came to be known as the Cherokee Neutral Lands.

On July 19, 1866, this tract was ceded to the United States to be sold for the benefit of the tribe. The Cherokee Nation joined the Southern Confederacy in the Civil War. If this act had any binding force, then this eight hundred thousand acres of Kansas land was technically, at least, a portion of the Southern Confederacy during the Rebellion.

It was at length determined that the South boundary of the Osage reserve was not the thirty-seventh parallel. The Osage line was found to be about two and one-half miles north of that parallel of latitude. As the north line of the Cherokee land—from the west line of this eight hundred thousand acre tract—was the south line of the Osage land, there remained the strip between the Osage line and the Kansas State line belonging to the Cherokees in Kansas the full length of their outlet. This treaty provided for the sale of this narrow strip also for the benefit of the Cherokee tribe.

The New York Indians

None of these Indians ever lived in Kansas. The only reason for their appearance here is the fact that they owned a portion of the soil of the State. Their mention will require but a brief space.

The tribes coming under this head are as follows: Senecas, Cayugas Tuscaroras, Oneidas, St. Regis (of Iroquoian stock), Stockbridges, Munsees, and Brothertons. The last three tribes are of the Algonquian stock. Through the frauds practiced on these Indians by certain State Governments they were cheated out of their lands in the State of New York. By the treaty of 1838 they were given a tract in Kansas. This tract was laid off immediately north of the Osage reservation, about twenty miles broad (nineteen, in fact) by about one hundred and ten miles long. It contained one million eight hundred and twenty-four thousand acres. The treaty provided that each individual of these tribes should be allotted three hundred and twenty acres upon application. Only thirty-two persons ever made such application, Provision was made for the sale of these allotments for the benefit of the allottees. The remainder of the reservation was declared forfeited to the United States because of non-occupancy, the Indians refusing to move west. The legal status of the land and the compensation for the Indians required years for settlement, and the matter was finally decided by the courts. The reservation was restored to the public domains in 1860, by President Buchanan.

Kickapoos

The Kickapoos were first mentioned in history about 1670, when they were found about the water-shed between the Wisconsin and Fox rivers. That region seems to have been their prehistoric home. They drifted to

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the southward in historic times, finally stopping on the Sangamon and Wabash rivers. Those dwelling on the waters of the Wabash had their town on the Vermilion River, and from that circumstance came to be called the Vermilion band. Those to the westward were known as the Prairie band. All of them were followers of Tecumseh, and many of them fought under Blackhawk in his war against the United States. The Government employed one hundred of them to go to Florida, as soldiers. There they fought the Seminoles, in 1837. In 1852 a considerable number, with some Pottawatomies, went to Texas. Later they went on to Mexico, where they have a reservation east of Chihuahua, in the Santa Rosa Mountains.

The first removal of the Kickapoos was to the State of Missouri, living there on the Osage River. By the treaty of October 24, 1832, they were assigned the following lands now in Kansas:

"Beginning on the Delaware line, six miles westwardly of Fort Leavenworth, thence with the Delaware line westwardly sixty miles, thence north twenty miles, thence in a direct line to the west bank of the Missouri, at a point twenty-six miles north of Fort Leavenworth, thence down the west bank of the Missouri River, to a point six miles nearly southwest of Fort Leavenworth, and thence to the beginning."

They were all gathered on this reservation in due time. In 1854 this reservation was given back to the United States, excepting a tract containing one hundred and fifty thousand acres on the head of the Grasshopper River retained for a future home. Much of this diminished reserve was lost through grafters and railroad promoters. Only sixty-four hundred and sixty-eight acres remain. This tract is held in common to this time and is the home of those still in Kansas.

Iowas, Sacs and Foxes of Missouri

The Iowas are of the Siouan family, but here we find them confederated with two tribes of the Algonquian stock. The Iowas claim to be an offshoot from the Winnebagos. They were the wanderers of the Siouans, and have lived in Missouri, Minnesota, Iowa, and some of them have lived in Nebraska. This was before they were settled in Kansas. At one time they lived on the Missouri River opposite the site of Fort Leavenworth. The name signifies "The Sleepy Ones." Their social organization is similar to that of other Siouan tribes. There are two phratries, each having four gentes:

First phratry:

1. Black Bear.
2. Wolf.
3. Eagle and Thunder-being.
4. Elk.

Second phratry:

5. Beaver.
6. Pigeon.
7. Buffalo.
8. Snake.

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There was an Owl gens, but it is extinct.

In 1830 the confederacy of which the Iowas were a tribe consisted of the Sacs, Foxes, Iowas, Omahas, Missouris, Otoes, and Sioux.

The Sacs, or Sauks, are one of the first of the Western Algonquian tribes seen by the Europeans. Their Indian name signifies "Yellow Earth People." They were said to be more savage than neighboring tribes—forest vagabonds and wanderers. Their prehistoric home was about the south shore of the Great Lakes, probably in Michigan. It is said that "they could not endure the sight of the whiskers of the Europeans," killing those of their captives who wore them. They were active in the wars among the Indian tribes, and suffered accordingly. In 1804, at St. Louis, one band of the Sacs made a treaty ceding all the lands of the Sacs and Foxes in Wisconsin, Illinois, and Missouri. This act enraged the other portion of their tribe, and the Foxes. In fact, it was resented by all the tribes of those regions, and was one of the causes of the Blackhawk War. The band committing this crime against the tribe was later called the Missouri River Sacs. A band of Sacs once lived on the Osage River, in Missouri.

The Blackhawk War almost destroyed the Sacs and Foxes. They came together in Iowa, where they soon regained their prowess, making war on a number of tribes, expelling the Sioux from that territory.

The Foxes were the Red Earth People. They were first met along the Red River, in Wisconsin, and on Lake Winnebago. They were fierce warriors, and their Indian neighbors said they were stingy, moved by avarice, thieves, and always turbulent and quarrelsome. From their first acquaintance with Europeans they were closely associated with the Sacs. Their migrations and history are practically the same.

By the year 1836 the confederacy of which the Sacs and Foxes were a part seems to have retained only themselves and the Iowa. On the 17th of September of that year these made a treaty with the United States by which they were given a reservation lying immediately north of that of the Kickapoos in Kansas and Nebraska. Thither the confederacy of the three tribes migrated. There dissensions arose between the Sacs and Foxes due to the intrigues of Keokuk. They maintained separate villages. While the Foxes were absent on a buffalo hunt, about 1857, the Sacs made a treaty providing that the Sacs and Foxes should accept their lands in severalty and sell the surplus. This treaty was fomented by thieves and grafters. The Government is always beset with an unsavory rabble—scoundrels and scalawags—who make themselves useful politically. For their services they intrigue and plan larcenies of anything from a public document to an Indian reservation. If their transactions become a public scandal the Government repudiates

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them. If their plans do not arouse too much adverse sentiment, the Government permits them to mature, and the dishonest officials take a portion of the loot.

The Foxes would not be bound by the treaty, and their chief was deposed, an action the Foxes did not agree to. The chief and most of the Foxes went to Iowa, where some of their tribe had always lived. In 1854 some Foxes had slain a number of Plains Indians in battle while on a buffalo hunt, and fearing punishment by the Government, had gone back to Iowa. These Foxes bought a small tract of land on the Iowa River upon which they settled. This small reservation is in Tama County, and has been increased until it contains three thousand acres.

By the treaty of May 17, 1854, the reservation secured to the Iowas in 1836 was decreased. The confederacy had ceased to exist, so the Iowas made their own terms with the Government. They accepted a small tract about the mouth of the Great Nemaha as their future home. The residue of their lands were sold for their benefit. June 5 to 9, 1857, these lands were sold at Iowa Point. They comprised some of the best lands in Brown County.

On the 18th of May, 1854, the Government concluded a treaty with the Sacs and Foxes. They disposed of all their lands except fifty sections, which were to be selected within six months. Some eight thousand acres yet remain to members of those tribes who chose to remain there. Most of the Sacs went to what is now Oklahoma in 1867.

The Presbyterians established a mission among the Iowas while they dwelt yet in Missouri. Samuel M. Irvin and his wife were the first missionaries. They came with the Indians to the new reservation, arriving in 1837. The site of the future mission was fixed at a point about two miles east of the present town of Highland, in Doniphan County. The first building erected was a log cabin. In 1845 the Presbyterian Board of foreign missions erected a brick mission building to replace the log cabin and other temporary structures. The new building was one hundred and six feet long by thirty-seven feet wide, three stories in height, and contained thirty-two rooms. This structure was standing as late as 1907, but it was much damaged by a tornado in that year—practically destroyed, in fact.

The Sacs and Foxes of the Mississippi

The history of the Sacs and Foxes of the Mississippi is the same as that of the Missouri portion of the tribes, except that they had never wandered so far from the ancestral home. They lived nearer the Mississippi River, and the other band lived on the Missouri River—or the Osage, a branch of the Missouri, and from these circumstances came the names of the two bands. One band was the Sacs and Foxes of the Mississippi, and the other the Sacs and Foxes of the Missouri.

The Sacs and Foxes of the Mississippi owned and held about three-fourths of the State of Iowa up to the year 1842. On the 11th day of October of that year they ceded that magnificent domain to the United

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States. They were to be given another reservation "upon the Missouri River, or some of the waters." They were given a tract of land thirty-four miles long by about twenty miles wide on the Marais des Cygnes west of the present town of Ottawa, Kansas. They did not arrive in Kansas until 1846. By January 1, of that year all the Sacs and one-fifth of the Foxes were on the Wakarusa. They were permitted to stop there by the Shawnees until the remainder of the Foxes could be present, when the reservation was to be selected. The missing Foxes were visiting the Pottawatomies. In the Spring those assembled on the Wakarusa selected the reservation, not wishing to wait longer. Those on the Wakarusa numbered something less than one thousand. They finally took up their residence about the point where Lyndon was later founded.

October 1, 1859, these Indians made a treaty by which all their lands lying west of the range-line of range sixteen, about three hundred thousand acres, were to be sold for their benefit. This left them about one hundred and fifty-three thousand acres. A strip of these trust lands six miles wide lay in Franklin County, Kansas, and was soon the prey of "speculators," as they were called. One of these was John P. Usher, Secretary of the Interior in the Cabinet of President Lincoln, and who long lived at Lawrence, Kansas. These Indians were soon made the victims of a fraud. One Robert S. Stevens was in various very questionable schemes in Kansas in the early days. By some devious connection with the Indian Department he was employed to build for these Indians one hundred and fifty little stone houses on the lands remaining to them. They did not want these houses, and protested against the waste of their money for any such purpose. But their protests were unheeded at Washington. The grafters had the ear of the Government, as usual, and the Indians were robbed. This same Stevens worked the identical scheme on the Kansas Indians, on the Council Grove reservation. All these Indians, as soon as the little stone houses were completed, sold the doors, windows, and floors for whiskey, and stabled their ponies in the dilapidated ruins. They would not live in such houses.

The divestment of these Indians of the residue of their lands ran the usual course of fraud. The allotment plan was brought into play, and the cunningly devised chicanery wound their devious ways. They were given seven hundred and fifty square miles of land, supposed to be worthless, in what is now Oklahoma. In 1867 they began to migrate to that tract, and in a period of five years they were mostly living on it.

The Methodist Episcopal Church, South, did some missionary work among the Sacs and Foxes before the Civil War. In 1860 the Methodist Episcopal Church appointed Rev. Richard P. Duvall missionary to this tribe. He began his labors at the tribal agency at once. April, 1863, he opened the mission school. This was in two large buildings distant about a mile from the agency. In 1862-63 some of the tribe sent their children to Baker University, at Baldwin. No great progress was ever made in the work of Christianizing the Sacs and Foxes.

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The Ottawas

The Ottawas were found on the Georgian Bay by Champlain in 1615. They seem to have been a people who traded much with other tribes. They had developed a commerce in tobacco, medicinial herbs and roots, rugs, mats, furs and skins, cornmeal, and an oil made of the seeds of the sunflower. They were in close alliance with the Hurons, or

Rev. Jotham Meeker

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

Wyandots, from the first. And the Wyandots raised tobacco for the Indian trade.

The history of the Ottawas runs much like that of the other tribes found along the Great Lakes. They claim that they owned the country through which flowed the Ottawa River, in Canada. They were pushed westward. They lived in 1635 on Manitoulin Island. They were at war with the Iroquois, and fled from these fierce children of the League. With the Wyandots, they found themselves about Detroit, where their chief and greatest warrior, Pontiac, formed a confederacy and made war on the English. The war was not successful because of the peculiar disposition of the Indians. The Ottawas were always a

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factor in the wars waged by the Indians against the advancing settlers.

On the 26th day of September, 1833, the Ottawas ceded their lands on the west shore of Lake Michigan for a reservation in the country which was to become Kansas. This treaty was made by only a portion of the tribe, which was, and is to this day, widely scattered. The Ottawas of Blanchard's Fork were to have thirty-four thousand acres, and those of Roche de Boeuf were to have forty thousand acres. This land was laid off in a single tract, which contained seventy-two thousand acres. It was on the Marais des Cygnes River, and the city of Ottawa,

JOHN T. JONES, KNOWN AS "OTTAWA" JONES

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

Kansas, is located about the center of the reservation. The Ottawas settled on their new land in 1837 (a few arrived in 1836), and there were arrivals for some years later.

The Baptists founded a mission among these Ottawas. Rev. Jotham Meeker had labored among those of the tribe in Michigan. In 1837 he was at the Shawnee Baptist Mission. When Rev. John G. Pratt came to the Shawnee mission, Mr. Meeker went on to the Ottawas, arriving in June, 1837. Buildings were erected on what is now the northwest quarter of section twenty-eight (28), township sixteen (16), range

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twenty (20). They stood on the south side of Ottawa Creek directly east of the present town of Ottawa. All the buildings put up there must have been of temporary character, for they had entirely disappeared before 1866. The old cemetery is still preserved. Meeker died at the mission January 11, 1854. Mrs. Meeker died March 15, 1856. Both are buried in the old cemetery. The church which they founded was presided over by John T. Jones, known as "Ottawa" Jones, a half-blood Ottawa, who had been educated at Hamilton, New York. The printing press which had been installed at the Shawnee Baptist Mission was moved to the Ottawa mission, where many books for use among different tribes were printed. This was the first printing press brought to the country which became Kansas. G. W. Brown bought it of Mr. Meeker, and used it in the office of the *Herald of Freedom,* at Lawrence. S. S. Prouty bought it from Brown, and used it to print *Freedom's Champion,* at Prairie City. It was then taken to Lecompton and used in the office of Solomon Weaver. From Lecompton it was taken to Cottonwood Falls, and from thence to Cowley County, finally going into the Indian Territory. The type used at the mission was scattered over the prairie by the Indian children. The press was a Seth Adams press. There were twenty stars on it, indicating that it was made in 1817, when the Union contained twenty states.

The Ottawas left Kansas in 1870, going to the Indian Territory. On June 24, 1862, they had made a treaty disposing of their lands. The land-shark stood by to despoil the Indian. There is not a more miserable story in all land transactions than that of the Ottawa reserve.

Miamis

The Miamis were called Twightwees by the Early English writers. They were sometimes spoken of as the Crane people. Little Turtle, their chief, replied when asked the bounds of his country by "Mad" Anthony; "My forefather kindled the first fire at Detroit; from thence he extended his line to the headwaters of the Scioto; from thence to its mouth; from thence to the mouth of the Wabash; and from thence to Chicago, on Lake Michigan. These are the boundaries within which the prints of my ancestors' houses are everywhere to be seen."

The Miamis were an important tribe in the Ohio Valley, where they bore a part in all the border wars. They are of the Algonquian stock and have the social organization of that family. There are ten clans in the tribe:

1. Wolf.
2. Loon.
3. Eagle.
4. Buzzard.
5. Panther.
6. Turkey.
7. Raccoon.
8. Snow.
9. Sun.
10. Water.

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By the time of general treaty-making to divest the Indians of their land east of the Mississippi, the Miamis were mostly in Indiana. By the treaties of 1839 and 1841 they were possessed of a reservation adjoining the State of Missouri, immediately north of the land of the New York Indians, south of the country of the Weas, and east of the Pottawatomies. Miami County was made from a portion of this reservation. They arrived and began a settlement on Sugar Creek in 1846. By the end of 1847 there were eleven hundred of them on their reservation, but half of them died the following year. Many of them returned to their old homes east of the Mississippi. The remainder moved to the Marais des Cygnes, in the south part of Miami County, where they established what was called Miami Village. The Baptists and Catholics had missions among the Miamis in Kansas.

The Miami reservation contained about five hundred thousand acres. The land was as good as can be found in Kansas. The land-stealers soon came to demand it. A treaty was concluded June 5, 1854, by which the reservation was sold to the United States for two hundred thousand dollars. There was excepted a tract containing seventy-two thousand acres. This tract was later secured by the white settlers by the usual methods in use for getting possession of Indian land. In 1871 the Miamis removed to a reservation on the Spring River, in what is now Oklahoma.

Chippewas

The Chippewas are one of the largest of the Algonquian tribes. The correct form of the name is *Ojĭbwa.* It signifies "to roast till puckered up" and has reference to the puckered seam in their moccasins, it being peculiar to the tribe, no others making the moccasin in that way.

The original territory occupied by this tribe bordered both shores of Lake Huron and Lake Superior, and extended westward to the Turtle Mountains, in North Dakota. This land was beyond and beside the trails and courses of the first settlers, and as a consequence the Chippewas were not embroiled in so many of the border wars as were other tribes less fortunately situated.

The Chippewas, as did many other Indian nations, became widely scattered as a result of the settlement of the country by Europeans. A number of small bands settled and remained about Lake St. Clair. The band on the Swan Creek of that lake came to be known as the Swan-Creek band. The Black River flows into Lake St. Clair, and the band living on that stream came to be called the Black-River band. By a treaty made May 9, 1836, these bands ceded their lands on the stream named, and were guaranteed a reservation west of the Mississippi of eight thousand three hundred and twenty acres. This tract was finally located a few miles west of Ottawa, in Franklin County, Kansas. Only a few families were settled on these lands. To these the whole reservation was given. By the terms of the treaty made July 16, 1859, the

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Munsee or Christian Indians were united with these Chippewas and made joint owners of the reservation. This band was composed of the Christian Indians of the Munsee tribe, and this tribe has had notice in our account of the Delawares. In the treaty of 1859 provision was made for allotment of lands in severalty. In the course of time this was done. In 1871 the surplus land was sold. The Chippewas then asked that they be permitted to sell all their lands and move to the Indian Territory. This was complied with, but the process was slow. It was 1901 before the transaction was completed and the Indians received the proceeds of the sales of their lands.

There was a Moravian mission among these Indians. Little was ever accomplished in the way of Christianizing the Chippewas, however. Their missionary once remarked that he had little hope of meeting any of them in heaven.

There were twenty-three clans among the Chippewas:

1. Wolf.
2. Bear.
3. Beaver.
4. Mud Turtle.
5. Snapping Turtle.
6. Little Turtle.
7. Reindeer.
8. Snipe.
9. Crane.
10. Pigeon Hawk.
11. Raven.
12. Bald Eagle.
13. Loon.
14. Duck.
15. Swan.
16. Snake.
17. Marten.
18. Heron.
19. Bullhead.
20. Carp.
21. Sturgeon.
22. Pike.
23. Pickerel.

Moravian Munsees

Another small band of the Christian Indians moved to Kansas and were permitted to settle on the Delaware reservation. They had a town near the Kansas River, near the present town of Muncie, in Wyandotte County. Later they moved to a beautiful location in Leavenworth County, now the National Military Home and Mount Muncie Cemetery. A small band of Stockbridges had been permitted to settle there, also, but these returned to Wisconsin after a residence of a few years. In the

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treaty of May 6, 1854, with the Delaware, the Moravian Munsees, called also the Christian Indians, were assigned a reservation. It included the fine location mentioned above, and consisted of four sections of land. They lived on their reservation but four years after it had been set off to them. By act of Congress they were authorized to dispose of the land, and they sold it to one A. J. Isacks.

Kaskaskia Confederacy

This was not a true confederacy, but an association of tribes which resulted from circumstances over which none had much control.

The Kaskaskias made a treaty at Vincennes in 1803, in which it is recited that they "are the remains, and rightfully represent all the tribes of the Illinois Indians." They ceded more than eight million acres in the heart of Illinois, reserving only three hundred and fifty acres near the old town of Kaskaskia, with the privilege of locating another tract of twelve hundred and eighty acres in the tract ceded. In 1818 the Peorias, part of the Illinois Indians, who had to that time lived apart, united with the Kaskaskias. All of them ceded their lands in Illinois and received a reservation of six hundred and forty acres on the Blackwater River, near St. Genevieve, in Missouri. The Weas and Piankashwas were closely related to the Miamis. They ceded their lands in Indiana in 1818—the Piankashwas earlier—and were moved west of the Mississippi in that year. They were settled near St. Genevieve, also. There these tribes became united with the Kaskaskias and Peorias. But, like the Delawares and Shawnees, they wandered at will in the West. The existence of Peoria and Piankashaw towns on the White River, near the site of the present town of Forsyth, Mo., has been noticed. These towns had been established before 1828. October 27, 1832, a treaty made with the Kaskaskias and Peorias assigned them one hundred and fifty sections of land west of the State of Missouri, on the waters of the Osage River. This reservation was to include a Peoria town which had already been established on the north bank of the Osage, or Marais des Cygnes, a few miles below the present site of Ottawa, Franklin County. The Peorias had arrived in 1827.

On the 29th day of October, 1832, the Piankashaws and Weas were given a reservation extending from that of the Kaskaskias and Peorias to the west line of the State of Missouri, containing two hundred and fifty sections of land. These reservations were in what are now Franklin and Miami counties.

In the treaty made on the 30th day of May, 1854, it is recited "that the tribes of Kaskaskia and Peoria Indians, and the Piankeshaw and Wea Indians, having recently in joint council assembled, united themselves into a single tribe, the United States hereby assent to the action of said joint council." In this treaty it was provided that the lands should be allotted to the Indians and the surplus land sold for their benefit. Baptiste Peoria was accused of having secured proceeds of the sales of land allotted to pretended parties, who did not exist. The fraud caused

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many lawsuits. These Indians were settled at the Quapaw Agency, in the Indian Territory.

The Presbyterians established a mission among the Weas and Piankashwas. It was commenced in 1834, and seems to have been abandoned in 1838. The Methodists had a mission among the Peorias about the same time. The Baptists established a mission about one mile east of the present town of Paola, and the mission prevailed and prospered. It was commenced about the year 1839. Dr. David Lykins was the missionary in 1844, and he continued to live in that country after the Territory of Kansas had been organized. In some authorities it is said that Dr. Lykins founded the mission about 1840. Later he took an active interest in politics, on the pro-slavery side. He was a member of the first Territorial Legislature, and Miami County was first named Lykins County, in his honor.

Quapaws

The Quapaws are the Arkansas Indians. They were once a powerful tribe, claiming a vast territory which extended from the Mississippi to head waters of the Red River. As the tract remained at the time of the cession, it was bounded on the north by the Arkansas and the Canadian rivers, on the south by the Red River down almost to Shreveport, thence to the Mississippi River.

The Quapaws represented the southern division of the Siouan family. Much of the land ceded by the Osages belonged of right to the Quapaws, and especially that bordering on the Mississippi in Missouri and Arkansas. It has already been noticed that this was the tribe called the Escanjaques by the Spaniards in their early explorations. At that time their possessions west of the Mississippi were not so extensive, the land of the Caddoans approaching that great river closely, especially below the mouth of the Arkansas.

In 1834 the Quapaws were assigned a reservation on the Neosho. It extended north of the south line of Kansas, as later established, some twelve sections of land being found to be in Kansas. This they disposed of in 1867. The Quapaws had never occupied this land, so never lived in Kansas.

Otoes and Missouris

The Otoes and Missouris are tribes of the Siouan family. They were placed on a reservation in the country about the Nemaha River, in what became Kansas and Nebraska. By a treaty made September 21, 1833, they ceded their country south of the Little Nemaha. The remainder of their lands were ceded to the United States by a treaty made March 15, 1854, and they were assigned a diminished reservation on the waters of the Big Blue River. This tract was twenty-five miles long—east and west—by ten miles wide. It was surveyed to please the Indians from some point called by them the "Islands." The south boundary fell two

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miles below or south of the north line of Kansas. They lived there until the white people crowded them out, moving to the Indian Territory in 1881. It required twenty years to quiet the title to this reservation. As usual, the Indians received only a small part of the value of the land.

AUTHORITIES

Some of the principal authorities upon which this chapter is based are indicated in the text. Of those not mentioned there, the Eighteenth Annual Report of the Bureau of Ethnology, the treaties made with the Indians, and the article by Miss Anna Heloise Abel in Volume VIII, *Kansas Historical Collections,* were of most service and most frequently consulted. The article of Mrs. Ida M. Ferris, "The Sauks and Foxes in Franklin and Osage Counties, Kansas." in Volume XI, *Kansas Historical Collections,* I found of much value.

The Handbook of American Indians, by the Bureau of American Ethnology I found indispensable.

Holcomb's History of Vernon County, Missouri, is scholarly and accurate. It has much on the Osage Indians.

The various maps and manuscripts in the Library of the Kansas State Historical Society contain information not to be found elsewhere.

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CHAPTER XI

THE BUFFALO

By Mrs. Edith Connelly Ross

The history of any plains-state is so inextricably interwoven with the story of the buffalo that the two are incomplete when told separately. The place of the buffalo in the story of the plains is so important that to imagine the two separated is to imagine a new and entirely different history for the plains. They are necessary to each other. Together they were found, together they played their part in pioneer history, and together they disappeared—the buffalo exterminated, the plains metamorphosed into the well-cultivated farms of to-day. But so closely were they linked in early plains-history that even to-day the buffalo stands as the symbol of the boundless, free plains, and the pioneer life of the early hunter.

Especially is this true with Kansas history. Kansas has the distinction of having been the favorite of all the grazing-land roamed by the mighty herds of the buffalo. She provided an immense, rich pasture-land to the innumerable thousand of wild cattle that covered the prairies. Here grew in generous abundance the buffalo grass—most fattening and nutritious of stock-feeds. Sustaining beyond most other grasses, it was desired above all else by the buffalo. The Kansas plains were fairly carpeted with this wonderful vegetation. For this reason, Kansas was the Mecca of the buffalo hunter of the day. Here he was certain to find the bison, largest of all American game, in abundance. Here his enterprise was always rewarded. However the herds might fluctuate in other regions, in Kansas the buffalo was invariably present, until within the last forty-two years. The earliest history of Kansas is linked with that of the buffalo. Coronado, crossing the Kansas plains in search of the "Seven Cities of Cibola" witnessed a scene familiar to the hunters of three hundred years later—the prairies blackened by huge herds of the buffalo. And probably hundreds of years before the Europeans ever dreamed of the discovery of a new world that same scene had been repeated many thousands of times on the Kansas prairies.

But of the history of the buffalo before the coming of the Europeans, nothing can be definitely stated. Had the priests of the Spanish not destroyed the written records of the Aztecs, historians would possibly be able to tell much of interest concerning the buffalo of the past ages. However, since all of this is lost to history, we must be content to begin our story with the first mention of the buffalo by the early explorers.

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The first buffalo ever known to an European was seen by the members of the Cortez expedition in 1521. Fighting their way inland, in that relentless search for gold which was the chief characteristic of the early Spanish explorations, these free-booters came at last to the Aztec capital, Anahuac. Here Montezuma, the Emperor of the Aztecs, kept in captivity a large menagerie for the use and entertainment of his subjects. Concerning it, De Solis, the historian, wrote the following account:

In the second Square of the same House were the Wild Beasts, which were either presents to Montezuma, or taken by his Hunters, in strong Cages of Timber, rang'd in good Order, and under Cover; Lions, Tygers, Bears, and all others of the savage Kind which New-Spain produced;

BUFFALO, GAGE PARK, TOPEKA

[From Photograph Owned by William E. Connelley]

among which the greatest Rarity was the Mexican Bull; a wonderful composition of divers Animals. It has crooked Shoulders, with a Bunch on its Back like a Camel; its Flanks dry, its Tail large, and its Neck cover'd with Hair like a Lion. It is cloven footed, its Head armed like that of a Bull, which it resembles in Fierceness, with no less strength and Agility.

Evidently this captive buffalo's appearance made a great impression on the Spanish. And, indeed, compared to the small, sleek cattle they were used to, it must have seemed a veritable monster.

The next appearance of the buffalo in history was in 1530. Alvar Nunez Cabeza, (Cabeza de Vaca), a Spanish explorer and discoverer, was wrecked on the Gulf Coast west of the Mississippi delta. In his wanderings westward through what is now Texas, he sighted buffalo, and a welcome sight it was to him, for he was literally starving. This was the earliest known discovery of the buffalo in a free state. Of it Cabeza writes:

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Cattle come as far as this. I have seen them three times and eaten of their meat. I think they are about the size of those in Spain. They have small horns like those of Morocco, and the hair long and flocky, like that of the merino. Some are light brown (pardillas) and others black. To my judgment the flesh is finer and sweeter than that of this country, (Spain). The Indians make blankets of those that are not full grown, and of the larger they make shoes and bucklers. They come as far as the sea-coast of Florida, (now Texas), and in a direction from the north, and range over a district of more than 400 leagues. In the whole extent of plain over which they roam, the people who live bordering upon it descend and kill them for food, and thus a great many skins are scattered throughout the country.

Twelve years later, Coronado, on his famous expedition in search of the "Seven Cities of Cibola" encountered the American bison. Pushing northward and westward, he at length reached the land of the buffalo. His first interest in the animal had been awakened by a tanned skin in the possession of one of the Indians visiting the Spaniards. At first he came upon buffalo in small groups, then, later, in the immense herds that ever covered the plains. The Spaniards were interested and amused by hunting, but they soon tired of it and returned to the only occupation that held their keen attention long—the search for gold. Writing of the buffalo, Castaneda, one of Coronado's followers, says:

The first time we encountered the buffalo all the horses took to flight on seeing them for they are horrible to the sight.

They have a broad and short face, eyes two palms from each other, and projecting in such a manner sideways that they can see a pursuer. Their beard is like that of goats, and so long that it drags the ground when they lower the head. They have, on the anterior portion of the body, a frizzled hair like sheep's wool; it is very fine upon the croup, and sleek like a lion's mane. Their horns are very short and thick, and can scarcely be seen through the hair. They always change their hair in May, and at this season they really resemble lions. To make it drop more quickly, for they change it as adders do their skins, they roll among the brush-wood which they find in the ravines.

Their tail is very short, and terminates in a great tuft. When they run they carry it in the air like scorpions. When quite young they are tawny, and resemble our calves; but as age increases they change color and form.

Another thing which struck us was that all the old buffaloes that we killed had the left ear cloven, while it was entire in the young; we could never discover the reason of this.

Their wool is so fine that handsome clothes would certainly be made of it, but it can not be dyed for it is tawny red. We were much surprised at sometimes meeting innumerable herds of bulls without a single cow, and other herds of cows without bulls.

In 1599, Don Juan de Onate, governor of New Mexico, became interested in the buffalo, and sent Vicente de Saldivar to find buffalo and report their habits, appearance, and the chance of capturing and domesticating them. The expedition met large bands of friendly Indians on their trip, and after traveling many leagues, found first one buffalo, a decrepit old bull. This occasioned great merriment among the Spanish. However,

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shortly afterwards, more than three hundred buffalo were sighted, about some pools. Here, too, at these same pools, were Indians, using the beautifully-tanned hides for tents and utensils, and the meat for food. Traveling still further, in their search, the explorers came at last to the main herd of buffalo. Juan Gutierrez Bocanegra, secretary of the expedition writes as follows concerning this:

. . . Next day they went three more leagues farther in search of a convenient and suitable site for a corral, and upon finding a place they began to construct it out of large pieces of cottonwood. It took them three days to complete it. It was so large and the wings so long that they thought they could corral ten thousand head of cattle, because they had seen so many, during those days, wandering so near to the tents and houses. In view of this and of the further fact that when they run they act as though fettered, they took their capture for granted. It was declared by those who had seen them that in that place alone there were more buffalo than there are cattle in three of the largest ranches in New Spain.

The corral constructed, they went next day to a plain where on the previous afternoon about a hundred thousand cattle had been seen. Giving them the right of way, the cattle started very nicely towards the corral, but soon they turned back in a stampede towards the men, and, rushing through them in a mass, it was impossible to stop them, because they are cattle terribly obstinate, courageous beyond exaggeration, and so cunning that if pursued they run, and that if their pursuers stop or slacken their speed they stop and roll, just like mules, and with this respite renew their run. For several days they tried a thousand ways of shutting them in or of surrounding them, but in no manner was it possible to do so. This was not due to fear, for they are remarkably savage and ferocious, so much so that they killed three of our horses and badly wounded forty, for their horns are very sharp and fairly long, about a span and a half, and bent upward together. They attack from the side, putting the head far down, so that whatever they seize they tear very badly. Nevertheless, some were killed and over eighty arrobas of tallow were secured, which without doubt is greatly superior to that from pork; the meat of the bull is superior to that of our cow, and that of the cow equals our most tender veal or mutton.

Seeing therefore that the full grown cattle could not be brought alive, the sargento Mayor ordered that calves be captured, but they became so enraged that out of the many which were being brought, some dragged by ropes and others upon the horses, not one got a league toward the camp, for they all died within about an hour. Therefore it is believed that unless taken shortly after birth and put under the care of our cows or goats, they cannot be brought until the cattle become tamer than they now are.

Its shape and form are so marvellous and laughable, or frightful, that the more one sees it the more one desires to see it, and no one could be so melancholy that if he were to see it a hundred times a day he could keep from laughing heartily as many times, or could fail to marvel at the sight of so ferocious an animal. Its horns are black and a third of a vara long, as already stated, and resemble those of the *bufalo;* its eyes are small, its face, snout, feet and hoofs of the same form as of our cows, with the exception that both the male and female are very much bearded, similar to he-goats. They are so thickly covered with wool that it covers their eyes and face, and the forelock nearly envelops their horns. This wool, which is long and very soft, extends

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almost to the middle of the body, but from there on the hair is shorter. Over the ribs they have so much wool and the chine is so high that they appear humpbacked, although in reality and in truth they are not greatly so, for the hump easily disappears when the hides are stretched.

In general, they are larger than our cattle. Their tail is like that of a hog, being very short, and having few bristles at the tip, and they twist it upward when they run. At the knee they have natural garters of very long hair. In their haunches, which resemble those of mules, they are hipped and crippled, and they therefore run, as already stated, in leaps, especially down hill. They are all of the same dark color, somewhat tawny, in parts their hair being almost black. Such is their appearance which at sight is far more ferocious than the pen can depict. As many of these cattle as are desired can be killed and brought to these settlements, which are distant from them thirty or forty leagues, but if they are to be brought alive it will be most difficult unless time and crossing them with those from Spain make them tamer.

So far, all the buffalo known to Europeans had been found by the Spaniards. This was entirely natural, for the explorers from Spain operated mostly in the Southwest, in the vicinity of the Great Plains.

The French also met the buffalo in a wild state in the seventeenth century. In 1679, La Salle sent Father Louis Hennepin, a priest and explorer belonging to his retinue, from Fort Crevecoeur to descend the Illinois and explore the Mississippi River. He passed up the Mississippi and returned to Canada by way of the Great Lakes. On this journey he saw and described the buffalo. Writing of it, he says:

When the Savages discover a great Number of those Beasts together, they likewise assemble their whole Tribe to encompass the Bulls, and then set on fire the dry Herbs about them, except in some places, which they leave free; and therein lay themselves in Ambuscade. The Bulls seeing the Flame round about them, run away through those Passages where they see no Fire; and there fall into the Hands of the Savages, who by these Means will kill sometimes above six score in a day. They divide these Beasts according to the number of each Family; and send their Wives to flay them, and bring the Flesh to their Cabins. These Women are so lusty and strong, that they carry on their Back two or three hundred weight, besides their Children; and notwithstanding that Burthen, they run as swiftly as any of our Soldiers with their Arms.

Those Bulls have a very fine Coat, more like Wooll than Hair, and their Cows have it longer than the Males; their Horns are almost black, and much thicker, though somewhat shorter than those of Europe; Their Head is of a prodigious Bigness, as well as their Neck very thick but at the same time exceeding short; They have a kind of Bump between the two Shoulders; Their Legs are big and short, cover'd with long Wooll; and they have between the two Horns an ugly Bush of Hair, which falls upon their Eyes, and makes them look horrid.

The Flesh of these Beasts is very relishing, and full of Juice, especially in Autumn, for having grazed all the Summer long in those vast Meadows, where the Herbs are as high as they, they are then very fat. There is also amongst them abundance of Stags, Deers, and wild Goats, and that nothing might be wanting in that Country, for the Convenience of those Creatures, there are Forests at certain distances, where they retire to rest, and shelter themselves against the violence of the Sun.

They change their Country according to the Seasons of the Year; for upon the approach of the Winter, they leave the North and go to

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the Southern Parts. They follow one another so that you may see a Drove of them for above a League together, and stop all at the same place; and the Ground where they use to lie is cover'd with wild Purslain; which makes me believe, that the Cows Dung is very fit to produce that Herb. Their Ways are as beaten as our great Roads, and no Herb grows therein. They swim over the Rivers they meet in their Way, to go and graze in other Meadows. But the Care of the Cows for their Young Ones, cannot be too much admir'd for there being in those Meadows a great quantity of Wolves, who might surprize them, they go to calve in the Islands of the Rivers, from whence they don't stir till the young Calves are able to follow them, for then they can protect them against any Beast whatsoever.

These Bulls being very convenient for the Subsistence of the Savages, they take care not to scare them from their Country; and they pursue only those whom they have wounded with their Arrows; But these Creatures multiply in such a manner, that notwithstanding the great Numbers they kill every Year, they are as numerous as ever.

The Women spin from the Wooll of these Bulls, and make Sacks thereof to carry their Flesh in, which they dry in the Sun, or broil upon Gridirons. They have no Salt, and yet they prepare their Flesh so well, that it keeps above four Months without breeding any Corruption; and it looks then so fresh, that one wou'd think it was newly kill'd. They commonly boil it, and drink the Broth of it instead of Water. This is the ordinary Drink of all the Savages of America, who have no Commerce with the Europeans. We follow'd their Example in this particular; and it must be confessed that that Broath is very Wholsome.

The Skin of one of those Bulls usually weighs about six-score Pound; but the Savages make use only of the thinnest part, as that of the Belly, which they dress with the Brains of all sorts of Beasts, and thereby make it as soft as our Shamoi's Skins. They paint them with several Colours, and adorn with pieces of Porcupine-Skins, red and white, the Gowns they make thereof, to appear splendidly at Feasts and on other solemn Occasions. They make other Gowns against cold Weather, wherewith they cover themselves during the Winter; but these plain Gowns, cover'd with curl'd Wooll, are, in my Opinion, the finest as well as the best.

When they kill any Cows, their young Calves follow them, and lick their Hands. They bring them to their Children, who eat them, after having for some time played with them. They keep the Hoofs of those little Creatures, and when they are very dry, they tie them to some Wand, and move them according to the various Postures of those who sing and dance. This is the most ridiculous Musical Instrument that I ever met with.

These young Calves might be easily tam'd, and made use of to plow the Land, which would be very advantageous to the Savages. These Bulls find in all Seasons Forrage to subsist by; for if they are surprised in the Northern Countries by the Snow, before they can reach the Southern Parts, they have the dexterity to remove the Snow, and eat the Grass under it. They bellow like our European Bulls, but not so frequently.

Though these Bulls are taller and bigger than those of Europe, they are however so swift, that no Savage can overtake them; They are so timorous, that they run away from any Man, except when they are wounded; for then they are dangerous, and often kill the Savage who pursues them. 'Tis a diverting Prospect to see near the Banks of the Rivers several Droves of those Bulls of about four or five hundred together, grazing in those green Meadows.

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It is very possible that other Frenchmen had found wild bison before this time, however, for they were determined hunters and explorers. So many minor expeditions are unknown to historians.

The English explorations and settlements were mostly on the extreme Atlantic Coast. As this was beyond the range of the bison, they of course failed to meet it.

The first Englishman known to have seen a buffalo was Samuel Argoll. In 1612, he saw a bison somewhere near the present Washington, D. C. In a letter to a friend he describes the incident thus:

> As soon as I had unladen this corne, I set my men to the felling of Timber, for the building of a Frigat, which I had left half finished at Point Comfort, the 18 of March; and returned myself with the ship into Pembrook (Potomac) River, and so discovered to the head of it, which is about 65 leagues into the Land, and navigable for any ship. And then marching into Countrie, I found great store of Cattle as big as Kine, of which the Indians that were my guides killed a couple, which we found to be very good and wholesome meate, and are very easie to be killed, in regards they are heavy, slow, and not so wild as other beasts of the wildernesse.

A surveying party under Colonel William Byrd, who were determining the boundary between North Carolina and Virginia, in 1729, met three buffalo on Sugar-Tree Creek. They were regarded as great curiosities. But as the party were not in need of food, none of them were killed. On the return journey one buffalo was found in the wood and killed for food.

Again, in 1733, Colonel Byrd found buffalo in the same location.

Thus heralded for more than two centuries by explorers and hunters, the van-guard of the pioneer settlers, the buffalo entered the history of the great American plains. From the first he gave the promise, by furnishing food and utensils to the explorers, of his ultimate utility. The choice flavor of the flesh, the usefulness of the hides, the length of the warm wool, all suggested his importance in the life of the plainsman. With the history of the plains and the pioneer, also began the history of the buffalo.

Habits

The buffalo herds were broken up into small bands of from twenty to two hundred, usually led by some old cow. These bands slowly scattered, till a herd covered many miles. In searching for a feeding-land, the average buffalo band displayed little intelligence, often leaving good pasture to wander into arid, rocky deserts and hills. The bands feeding on dry broken country, would pasture for some days, until thirst drove them to seek water. The leader at the head, the rest following in single file, a march was begun in a manner that might have provoked the rivalry of a surveyor for directness and precision. The animals in a band numbering from twenty to two hundred would proceed for miles in single file. The same trail was used over and over again, until worn into a

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ditch, often from seven inches to two feet deep. Then it was abandoned for a new one alongside. Even now the plains-cattle use these trails.

Often, in a hot, drouthy summer when the streams were dried up by the sun, the search for a water hole was a long one. But at last a warm, sickningly alkaline pool would be found and surrounded by hot, thirsty animals. Then the law of might prevailed and the strongest gained the first drink. After satisfying their thirst, the herd, instead of returning to their original grazing ground, would wander aimlessly in search of new pasture.

The buffalo grass was the favorite food. It grew close to the earth, a tough-fibred plant, containing the best elements of the finest stock-feed. Fattening, rich, nourishing, it was equally good whether green and damp or dry and browned by the fierce prairie heat. Instead of being evenly distributed, it grew in small patches interspersed with bare earth.

In contrast to this checkered green-and-brown, there would sometimes be found by early plainsmen, large rings of luxuriantly growing, tall, wavy grass. These at first were a source of wonder to their discoverers, being simply known as "Fairy-rings." Later, when the habits of the bison became better known, these "Fairy-rings" were easily explained.

Often a herd of buffalo, driven almost frantic by heat and the ceaseless stinging torment of millions of insects, would search for a marshy low spot in the prairie. Here one, always the strongest old bull of the herd, would go down on his knees and cut deep into the sod with his horns. This he would continue, mingled with much rolling and shoving and grunting, until he had completed a very good mud-hole. After wallowing in it till thickly coated with wet earth, and vastly satisfied, he would vacate in favor of the next buffalo. This would be kept up until every member of the herd was similarly coated. The mud, drying, made the buffalo an object so hideous as to be awe-inspiring. But it fulfilled the purpose he desired—it formed a protecting layer between himself and the tormenting insects. Shielded by this earthen armor, the buffalo, good knight of the plains, walked his dominion unmolested.

These rings were not always confined to low or marshy ground, however. In the tenacious chalky soil on the mountain tops in the Alleghenies, and especially in Eastern Kentucky, these "buffalo wallows" were common. The heavy clay held water like a rubber blanket. The wallows were used from year to year, becoming wide and shallow pools.

On the prairies and plains, the old bulls cut untold thousands of these depressions. They rolled in them to take off the dead hair when they were shedding in the spring. Where the prairie has not been broken by the plow in Kansas and Oklahoma, and no doubt in all other plains states, these rings are still to be seen. They are particularly numerous in the country about Baxter Springs, Kansas, and the Quapaw Agency, Oklahoma, where they have been observed with curiosity, and much interest.

After the departure of the buffalo, verdure, of the greenest type, quickly grew over the mudhole, forming the beautiful, mysterious "Fairy-ring" of the plains.

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The buffalo, like many other animals, claimed his share of the salt of the earth. So the salt-springs were very popular. They always evidenced the buffalo's favor in the trampled hoof-marked earth surrounding them.

The members of a herd entertained no affection for one another. There was no such thing as a life-time mating. During the breeding season, the herds collected close together, and the noise of their fighting and roaring could be heard for many miles. Afterwards the huge herds again separated into small bands. The breeding season was from the first of July to the first of October.

The calves, born in April, May or June, were covered with a baby-coat entirely unlike their later covering. They were a tawney red in color, and resembled greatly the common domestic calf in appearance. The calf would fight, butting desperately at his enemies or captors. The mother heartlessly deserted her offspring on slight provocation. But the bulls of the herd would often protect the calves from wolves. Often the calf, desiring to escape capture, would hide his head, ostrich-fashion, and imagine himself concealed safely from his pursuers. The hump was much more clearly defined in the male than in the female when very young. The calf, once captured, became quite tame, many times following its captor back to camp, trotting contentedly beside the horse.

About the first of August, the red hair began to fall off, and the new dark coat rapidly appeared. The silliness of the young calf gave way to the alertness and interest of the full grown bison. By the end of a year the calf had become a fine, fat young buffalo. However the buffalo did not reach full maturity under the age of three years.

In summer, the herds always tended towards the north, in winter they returned to their more southern feeding-grounds. On these expeditions the calf was compelled to look out for his own interests, as none of the herd gave him more than a cursory attention.

When it came to real affection or intelligence, the buffalo ranked low. Often stupidity was miscalled bravery in him. The bison had the instinct God gives all his creatures, fear of danger—and the power to flee from it. But puzzled and stupified, the buffalo would stand patiently still, with his comrades falling around him, and allow himself to be shot. He was not able to connect, mentally, their death and his own danger.

Appearance

With the shedding of his old coat the buffalo stood forth, a sleek, dark, well-furred creature. Then his appearance was very imposing and majestic, but during the season preceding even his most ardent champion could not admire him. About the first of March, the old hair began to flake off in great patches, giving him a decidedly ragged, dejected look. On the hind quarters and body, all the hair was lost, leaving for a few days only bare, glistening skin. Then it was that the wallow offered surcease for his misery. On the posterior portions of the body the hair remained very short all summer. But by the first of October again, his new coat was in prime condition, and the

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hair grew steadily longer. in preparation for the cold of the coming winter. While shedding, the buffalo rolled many times daily in the dry "wallows," among the rough shrubs in the draws and ravines, in the sands along the streams, and in the loose earth horned down from cut banks, bluffs, and hillsides, in a constant effort to rub off the dead hair.

The short, curling horns of the bison offered a good guide to his age. In youth, symmetrical and graceful, they were at their best in the three-years old bull. After that, the horny, rough rings added by each succeeding year, together with the wear of grubbing and digging, utterly ruined their beauty.

The Indian and the Buffalo

Ages before the coming of the Europeans to the new world, the North American Indian had known and utilized the buffalo. While the Indians east of the Mississippi recognized him as a possible source of food and shelter, still they did not place on him the dependence shown by the Indians west of that river. The buffalo, while in moderate numbers in the east, was outranked there by other game, such as deer, bear, wild fowls, etc. But as these animals were not so plentiful on the Western plains, of course, the Indians west of the Mississippi placed almost their entire dependence on the buffalo.

As we have said before, the buffalo was pre-eminently a plains-animal. Of all the Indians dependent on the buffalo, the following twenty-two tribes seemingly needed him the most: The Sioux, Crows, Piegans, Bloods, Blackfeet, Cheyennes, Gros Ventres, Aricarees, Mandans, Bannacs, Shoshones, Nez Perces, Assinniboines, Kiowas, Comanches, Arapahoes, Apaches, Utes, Omahas, Kansas, Pawnees, Osages, and Winnebagos. To these various tribes he was the one absolute necessity of life.

As with all the other wild creatures, the Indian had a theory to explain the huge herds of the buffalo. It was supposed that on the Staked Plains of Texas there was a huge cave, out of which, every year, some beneficent spirit sent the buffalo in great numbers, as a prize for the Indian. So convinced were they of this, that even when the buffalo were near extermination, they still clung to the legend that the good spirit would not let them all be killed, but would keep sending more buffalo to take the place of the slain. Many old warriors of the different tribes told of some truthful relative who had witnessed the coming of the buffalo, and one old man told his white friends, that he, personally, had seen them coming from this cave.

The Indian habit of burning the timber away and leaving unwooded prairies was largely responsible for the pasture of the buffalo. Whether with the full knowledge of the reason for his act, or with merely the instinct to gain freed land, the Indian unerringly chose the best method for the bison and the making of his range. And the burning of the prairies in the fall was also good.

In hunting the buffalo, the different tribes took their choice of sev-

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eral different methods—the "Chase," "Impounding" the "Surround," or "Decoying." In winter, sometimes the bison was hunted on snow-shoes. The Indian, owing to his lack of the right fire-arms, seldom used the deadly "still-hunt," beloved of the white hunter.

In "Chasing," the hunter chose his favorite "Buffalo-horse," took his weapon, whether gun, or bow and arrows, and rode beside the fleeing herd, picking his animals and slaying. Afterwards, the squaws came to skin and care for the fallen buffalo.

By "Impounding" was meant driving the bison into circular pens, as cowboys drive domestic cattle, and then killing them from advantageous positions on the wall of the pens. Difficult as this may sound it was a common practice among the Indians.

The "Surround" was a carefully planned affair. A herd sighted, the Indians surround them, on all sides at a distance, closing in last to the windward. At the signal the lines drew closer to the startled, confused herd, which of course tried to flee. Foiled in every direction, they were compelled to beat about in fruitless efforts to escape until killed.

In "Decoying" or driving, the herd was sent by skilful maneuvering, to plunge, head-first, over a cliff. After which it was easy to supply a camp with skins and meat.

The Indians used the hides for tepees, moccasins, rawhide thongs, dishes, horse-shoes, clothes, and many other articles. The skins were stretched and cured much in the manner used afterward by the white hunter.

Out of the meat of the buffalo, the Indian constructed many forms of food. The flesh dried and pounded with corn or wild cherries formed a common, nourishing food. Often the meat was preserved in the tallow. Or it was cut in very thin strips and dried on brush frames. The tongue and the meat of the hump were regarded as especial delicacies, so much so that they were often the only parts used by white hunters.

The United States government recognized the dependence of the Indian on the buffalo. A plan was once considered of sending the soldiers to exterminate the American bison and thus bringing the unruly plains tribes to submission. But it was never carried out.

The White Man and the Buffalo

William T. Hornaday in his article, "The Extermination of the American Bison," groups the extermination under two heads—the period of desultory destruction, from 1730 to 1830, and the period of systematic slaughter, from 1830 to 1888.

The first period covered the time of the early discoverer or pioneer, who killed only to supply his own needs. Because emigration west of the Mississippi was a rare occurrence at that date, and because the huge herds were practically unknown to the average eastern settler, the number of buffalo slain amounted to but very little compared to the immense numbers left. However the slaughter of this period was enough to practically exterminate the bison east of the Mississippi.

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The first deliberate buffalo hunt was sent from the Red River settlement, Manitoba. Five hundred and forty carts were used. The American Fur Company established trading posts along the Missouri River and soon the West was dotted with such posts. Both Indians and white men were encouraged to kill the buffalo.

From 1830 to 1856, the slaughter went systematically on, and the buffalo herd steadily decreased. But 1856, when the building of a transcontinental railroad was begun, saw the beginning of the end. The railroad cut the buffalo into two large herds—the northern and the southern. The railroad also made the hunting-grounds more accessible to the hired butcher and offered greater facility in the trader's handling of the skins. The laborers laying the track for the new railroad were constantly interfered with by the herds of buffalo.

As late as 1872, thousands of buffalo still grazed the plains. Towns had sprung up on their pasture, the hunter had made many devastating inroads on their herds, railroads ran through their midst, but the buffalo still clung to their lives and their home.

Colonel Dodge, in his "Plains of the Great West," says:

The Atchison, Topeka and Santa Fe Railroad was then (in 1871-72) in process of construction, and nowhere could the peculiarity of the buffalo of which I am speaking be better studied than from its trains. If a herd was on the north side of the track it would stand stupidly gazing, and without a symptom of alarm, although the locomotive passed within a hundred yards. If on the south side of the track, even though at a distance of 1 or 2 miles from it, the passage of a train set the whole herd in the wildest commotion. At full speed, and utterly regardless of the consequences, it would make for the track on its line of retreat. If the train happened not to be in its path, it crossed the track and stopped satisfied. If the train was in its way, each individual buffalo went at it with the desperation of despair, plunging against or between locomotive and cars, just as its blind madness chanced to direct it. Numbers were killed but numbers still pressed on, to stop and stare as soon as the obstacle had passed. After having trains thrown off the track twice in one week, conductors learned to have a very decided respect for the idiosyncrasies of the buffalo, and where there was a possibility of striking a herd "on the rampage" for the north side of the track the train was slowed up and sometimes stopped entirely.

From which it may be seen that the buffalo was still a force for civilization to reckon with.

In the commercialized killing, the butchers were supplied with especial outfits. In writing of this, Colonel Dodge describes it as follows:

The most approved party consisted of four men—one shooter, two skinners, and one man to cook, stretch hides and take care of camp. Where buffalo were very plentiful the number of skinners was increased. A light wagon, drawn by two horses, or mules, takes the outfit into the wilderness, and brings into the camp the skins taken each day. The outfit is most meager, a sack of flour, a side of bacon, 5 pounds of coffee, tea and sugar, a little salt, and possibly a few beans, is a month's supply. A common or "A" tent furnishes shelter; a couple of Remington's heaviest sporting rifles, and an unlimited supply of ammunition, is the armament.

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The skinning knives do duty at the platter, and "fingers were made before forks." Nor must be forgotten one or more 10-gallon kegs of water, as the camp must of necessity be far away from the stream. The supplies are generally furnished by the merchant for whom the party is working, who, in addition, pays each of the party a specified percentage of the value of the skins delivered. The shooter is carefully selected for his skill and knowledge of the habits of the buffalo. He is captain and leader of the party. When all is ready, he plunges into the wilderness, going to the center of the best buffalo region known to him, not already occupied (for there are unwritten regulations recognized as laws, giving each hunter certain rights of discovery and occupancy). Arrived at the position, he makes his camp in some hidden ravine or thicket, and makes all ready for work.

After one of these expeditions, the plains for miles around were covered with mutilated, putrifying buffalo carcasses. In a season or so, the white bleached bones and skulls, so typical of the latter days of the great plains, were to be seen in immense quantities.

Because of the wantonness of the slayers, it has been estimated that there were three to five buffalo killed to every hide marketed. A hide torn by careless rough handling was discarded. And millions of pounds of rich juicy meat—enough to have fed well all the poor of the nation—were wasted.

The terrible "Still-hunt" was usually used. A herd sighted, the hunter secreted himself and fired, killing the leader. The herd, confused and puzzled and lacking their accustomed general, stood still. Then it was an easy matter for the gunner, picking his animals and always killing those who would start to run, to soon exterminate a large band. Many a hunter killed in a season fifteen hundred to two thousand animals.

The work of the skinner was arduous, but not difficult. Sure of being able to replace those ruined, he displayed the same wasteful carelessness before spoken of. William T. Hornaday writes as follows:

At first the utmost wastfulness prevailed. Every one wanted to kill buffalo, and no one was willing to do the skinning and curing. Thousands upon thousands of buffaloes were killed for their tongues alone, and never skinned. Thousands more were wounded by unskillful marksmen and wandered off to die and become a total loss. But the climax of wastefulness and sloth was not reached until the enterprising buffalo-butcher began to skin his dead buffaloes by horse-power. The process is of interest, as showing the depths of degradation to which a man can fall and still call himself a hunter. The skin of the buffalo was ripped open along the belly and throat, the legs cut around at the knees, and ripped up the rest of the way. The skin of the neck was divided all the way around at the back of the head, and skinned back a few inches to afford a start. A stout iron bar, like a hitching-post, was then driven through the skull and about 18 inches into the earth, after which a rope was tied very firmly to the thick skin of the neck, made ready for that purpose. The other end of this rope was then hitched to the whiffletree of a pair of horses, or to the rear axle of a wagon, the horses were whipped up, and the skin was forthwith either torn in two or torn off the buffalo with about 50 pounds of flesh adhering to it. It soon became

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apparent to even the most enterprising buffalo skinner that this method was not an unqualified success, and it was presently abandoned.

Skins were stretched, baled, and shipped like cordwood. Of the qualities of hides, one of the rarest was the "Beaver-robe," a soft fur resembling the animal it was named for. These sold for seventy-five dollars apiece.

The "Black-and-tan" was also rare. In it, the nose, flank, and inside of the forelegs were black-and-tan—the rest of the hide jet black.

The rarest skin of them all was the "Buckskin," a freak of nature. It was a dirty white in color, and because of its rarity, rather than its beauty, sold for two hundred dollars.

The ordinary hide sold for about three dollars and a half. As in all other merchandise, the price fluctuated.

By the end of the year 1875, the great southern herd was practically extinct. The last of the year 1883 saw the last of the great northern herd. Some hunters believed that the buffalo were not all killed—that they had fled far north, into Canada. But this was not so. The buffalo, as a power, and a source of supply, had simply ceased to exist.

No public action was ever taken to protect the American bison from the ravages of the hired hunter. From 1871 to 1876, Congress made several creditable efforts to do so, but was so hedged in and beset, that it utterly failed.

In 1889, there were only 635 wild unprotected buffalo in North America. Today, there are in existence, owing to stringent game-laws, something like four or five thousand head of bison. In the wild "bad-lands" and in such preserves as Yellowstone and in many private parks, they graze unmolested. Of all the millions of the buffalo, there remains only this pitiful remnant.

There have been many plans for domesticating and keeping the buffalo. Most of them were impracticable. While there is yet some bitterness over the unjust treatment and the complete passing of the buffalo from the plains, still there is this point to be considered.

The plains were needed by the increasing number of Americans, to supply homes, and food-stuffs for the rest of the world. This could not be while the buffalo roamed them in freedom. As all other factors in the world's progress, the buffalo had to yield to the necessities of man and the advance of his civilization. It is a piteous thing, and a tragic, this passing of the buffalo and the Great Plains. But it had to be. The two were compelled before the coming of the white settler.

But these two—the Great Plains and the buffalo—are fixed features in the romances of the early days. The haze of passing time can never hide them. Indissoluably linked for all the coming ages, they offer yearning memories to the old hunters still living, and rich dreams of the boundless freedom and untrammeled life of pioneer times, to the romancer of the future.

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CHAPTER XII

THE MISSOURI COMPROMISE

The "Louisiana Purchase" was not designed by Jefferson for immediate settlement by the white people. He believed the transaction he had concluded with France to be in conflict with the constitution. To correct this defect he proposed that Congress should pass a constitutional amendment. This amendment he prepared. It provided that all that portion of Louisiana west of the Mississippi River and east of the Rocky Mountains, north of the thirty-second parallel should remain in the possession of the Indians inhabiting it, and that the tribes east of the Mississippi should be gradually moved into that reserved domain. The policy of removing the Eastern Indians to the country west of the Mississippi had its origin in the amendment, which, however, was never adopted. The policy was later put into effect, almost all the Indians living east of the Mississippi being forced to settle west of Arkansas and Missouri.

John C. Calhoun elaborated the plan proposed by Jefferson. In his report of 1825 he put forward his plan to invest the Indians with an inalienable title to the land west of the Missouri River north of the thirty-second parallel. In this plan he might have been sustained in that early day. But he had coupled with it another region. All that territory west of Lake Michigan was likewise to become Indian country in perpetuity.

It will be seen that all the country to be forever excluded from white settlement lay in the free North—in the bounds wherein slavery could not be introduced—in which it had been proscribed and excluded by the Ordinance of 1787 and the Missouri Compromise. It is supposed that the loss of Texas to the prospective slave territory caused Calhoun to seek in this way to defeat the provisions of the Missouri Compromise.

The issues underlying the Missouri Compromise developed suddenly and unexpectedly. Slavery had been so generously dealt with by Congress that the South considered the status of the institution fixed. Kentucky had been admitted as a slave State. A drastic fugitive-slave law had been passed in 1793. The cession of the Tennessee country by North Carolina had been accepted with the promise that slavery would not be prohibited in the state to be erected from it. And thereupon Tennessee was at once brought in as a slave state. Mississippi Territory was organized in 1798, and slavery was imbedded in the

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organic act. In 1803 Louisiana had been purchased with the understanding that slavery should remain unmolested. In 1805 Congress had refused by a decisive vote to provide for the emancipation of the slaves in the District of Columbia. And, finally, Louisiana had been admitted as a slave state in 1812.

Slavery had disappeared in the North, and it was believed that it would do so in the South. This might have been the fate of the institution but for the invention of the cotton gin, in 1793. An immense impetus was given cotton production. In this industry slave labor was extremely profitable. While the industries and the life of the people of the North were not influenced by slavery, it was the foundation of the industrial life of the South. It became the settled policy of the South to foster, push and fortify it in every possible way. It was made the paramount consideration in every political question. It engrossed the political energies of the South. This condition had been of gradual growth. Little had been heard of slavery in Congress after the passage of the law prohibiting the importation of slaves, in 1807.

So, there was surprise in the South when opposition arose in Congress to the admission of Missouri with a slave constitution. Slavery had been firmly established in the Territory. That it should be antagonized when that Territory demanded statehood had not occurred to the statesmen of the slave-holding area of the Union. The application of Missouri for admission was presented in March, 1818. No action was had at that session. The next session began in December, 1818. One of the first bills introduced was one to organize Arkansas Territory with the boundary line of the thirty-six thirty north latitude. The Ohio River had been recognized as the line between free and slave soil. The north line of Arkansas as proposed in the bill, was nearly a prolongation of that line, from the mouth of the Ohio.

The serious consideration of these bills did not begin until February, 1819. Determined opposition to the slavery feature of the bills developed at once. James W. Talmadge, member of the House from New York, moved as an amendment to the Missouri bill, "that further introduction of slavery or involuntary servitude be prohibited and that all children of slaves born within the said state after the admission thereof into the Union shall be free." The members from the North saw no injustice in the amendment. Missouri lay north of the accepted line between free and slave soil. It was immediately west of the free State of Illinois. And the amendment was adopted, the bill being then sent to the Senate. The Arkansas bill was then taken up. The Talmadge amendment was in substance proposed for it by John W. Taylor, also from New York. The motion was defeated only by the deciding vote of Henry Clay, then Speaker of the House. At this juncture was offered the first proposal to fix by law a line between free and slave territory. It was suggested by McLane, of Delaware. Mr. Taylor accepted the suggestion and moved that slavery should be prohibited north of the parallel of thirty-six thirty. It became apparent that the House would not concur in that amendment, and Mr. Taylor with-

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drew it. The Arkansas bill was then passed and sent to the Senate. That body accepted the bill, but it rejected the Talmadge amendment to the Missouri bill. Congress then adjourned.

The debates had been earnest and even exciting in Congress. The whole country was aroused. Mass meetings were held in the North at which the extension of slavery was condemned. Meetings in the South invoked the Constitution and demanded the rights it guaranteed, slavery being affirmed one of these. The legislatures of Delaware, New Jersey, New York, Ohio, and Pennsylvania passed resolutions protesting against the admission of Missouri with slavery.

The debates in Congress turned at times on the power of that body to pass the Talmadge amendment. It had power to "admit new states to this Union." Those favoring the amendment insisted that Congress had power to *admit,* which implied power to *refuse to admit.* They said this power had been in a measure exercised in the admission of Illinois, Indiana, and Ohio, they having been required to form constitutions prohibiting slavery. To this contention the South replied by asserting that principle which was later to be developed into the doctrine of squatter-sovereignty—that Ohio, Indiana, and Illinois might under the Constitution, have insisted that they had the right to determine for themselves what their domestic institutions should be. Southern representatives argued that the right of Congress to fix terms upon which a state might came into the Union would establish a centralized despotism. The institutions of the states would be determined by Congress, which might or might not make them equal. They insisted that states coming into the Union must have the same powers possessed by the original states.

The Missouri question became the leading matter for consideration by the Congress which assembled in December, 1819. Maine had secured the consent of Massachusetts, of which she had been a part since 1677, to apply for admission into the Union as a state. In December, 1819, the application of Maine was submitted, and with it a copy of her constitution, which, of course, was anti-slavery. The house promptly passed the bill admitting Maine, and sent it to the Senate. When the Senate came to consider the Maine bill, the Missouri bill was attached to it as an amendment. This brought up the whole matter of the extension and restriction of slavery. The Senate rejected the Talmadge amendment, but it was clear that the main question must have some form of settlement. Otherwise, no states could be admitted as long as either party controlled one branch of Congress. As each branch was standing firm in its attitude toward the bills as they then were, the only hope for action was in compromise. For the Talmadge amendment to the Missouri bill, Senator Jesse B. Thomas, of Illinois, proposed the following amendment:

> That in all that territory ceded by France to the United States under the name of Louisiana, which lies north of thirty-six degrees, thirty minutes, north latitude, not included within the limits of the state contemplated by this act, slavery and involuntary servitude, otherwise than

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in the punishment of crimes, whereof the party shall have been convicted, shall be and is hereby forever prohibited.

There was a provision for the reclamation of fugitive slaves in the excluded territory.

This was the Missouri Compromise. By it Maine was admitted. Missouri was authorized to form a constitution and submit it for approval, when she would be formally admitted. This constitution was laid before Congress in 1821. It was found to contain a provision forbidding free negroes from entering the state. This raised another troublesome question. For free negroes were citizens of the United States. The resolution admitting Missouri twice passed the Senate and was twice rejected by the Senate. On motion of Henry Clay a committee was appointed by the House to act with a committee to be appointed by the Senate to consider the new controversy over the admission of Missouri. The joint committee agreed on a report and brought in a resolution in favor of the admission of the State, "Upon the condition that her legislature should first declare that the clause in her constitution relative to the free colored immigration into the State, should never be construed to authorize the passage of any act by which any citizen of either of the States of the Union should be excluded from the enjoyment of any privilege to which he may be entitled under the Constitution of the United States; and the President of the United States being furnished with a copy of said act, should, by proclamation, declare the State to be admitted."

This declaration was soon made by the legislature, and Missouri was admitted. There were, in fact, two compromises. The main question, however, is the one involving the national controversy. Its settlement is regarded as the Missouri Compromise. Its author was Senator Jesse B. Thomas, of Illinois, and not Henry Clay, as has so often been asserted.

The South furnished the votes for the enactment of the Missouri Compromise and was for some time satisfied with that measure. But it was the beginning of the end of slavery in America. Southern statesmen began to realize this some years later, and by the year 1850 they were willing to repeal it. This feeling grew until 1854, when they forced its repeal. To permit it to stand meant the ruin of slavery. In its repeal there might be a hope for the institution. The Compromise gave the South Arkansas and Texas for slavery west of the Mississippi. To freedom it consecrated a territory of vast extent, later to be increased, capable of furnishing many states.

The Missouri Compromise was the most important matter with which Congress had been required to deal to that time. It was a struggle for power between the North and the South. Jefferson said of it: "This momentous question like a fire bell in the night, awakened me and filled me with terror. I considered it at once as the knell of the Union. It is hushed indeed for the moment. But this is a reprieve only, not a final sentence. A geographical line coinciding with a marked princi-

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ple, moral and political, once conceived and held up to the angry passions of men will never be obliterated, and every new irritation will mark it deeper and deeper."

This prophecy burst into flames on the prairies of Kansas in 1855. The fires kindled there raged with uncontrollable fury until slavery was burned out of America.

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CHAPTER XIII

THE COMPROMISE OF 1850

The first serious incident in the slavery controversy after the Missouri Compromise grew out of the War with Mexico. In 1846 President Polk applied to Congress for two million dollars with which to promote a peace with Mexico, and at the same time secure a large amount of Mexican territory. This territory was to be acquired in the interest of Slavery. David Wilmot, a Democratic Member of the House, from Pennsylvania, offered the following amendment to the bill: "Provided, That, as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States in virtue of any treaty which may be negotiated between them, and to the use by the Executive of the monies herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory except for crime, whereof the party shall first be duly convicted."

Thus was the whole slavery matter precipitated for debate in Congress and discussion in the country. The Proviso was immediately championed by the North and utterly condemned in the South. Except that of Iowa, the legislatures of the free States passed resolutions affirming that Congress had power to prohibit slavery in all the Territories of the Union, and it was its duty to do so. The country was divided for the first time on sectional lines, and the Proviso was defeated. The first threat of slavery to resort to actual war was uttered by the legislature of Virginia in the consideration of the Wilmot Proviso.

The questions raised by the Proviso were avoided in the Presidential election of 1848. The convention which nominated Lewis Cass for the Presidency on the Democratic ticket voted down a resolution condemning the Proviso, and adopted a strict-construction platform. The Whigs did not adopt a platform, but nominated Zachary Taylor, a slaveholder and a Louisiana planter. He was elected. While the issue was slavery, it was not in the form it later assumed. At that time the opponents of slavery were not in favor of abolition, but opposed its extension. That was, in fact, the intent of the Wilmot Proviso.

The vast territory ceded us by Mexico brought many troublesome questions with it. Gold was discovered in California in 1848. The influx of population as a consequence created the need of a sufficient government there. In the first attempt to form a State government the people declared against slavery. Then, what form of government should be provided for the remainder of the Mexican cession? Coming up with these

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were other problems. The North had hoped to abolish slavery in the District of Columbia, while the South demanded a more stringent Fugitive-slave law.

These questions came before the Congress of 1850 for settlement. The Senate was favorable to the contentions of the South, but the House stood against the extension of slavery. Neither side could secure the enactment of its desires. A compromise was the only peaceful recourse. This was proposed by Henry Clay, then a Senator from Kentucky. Through his efforts the following settlement was effected:

1. California was admitted as a free State.
2. New Mexico and Utah were organized as territories to be admitted as States with or without slavery as their constitutions might provide when application for statehood was made.
3. The Slave trade in the District of Columbia was prohibited, but it was declared inexpedient to abolish slavery in the District.
4. A very severe Fugitive-slave law was enacted.

In addition there was the declaration that Congress had no power over the interstate slave trade and could not prohibit it. And Texas was paid $10,000,000 to relinquish her claims to a portion of New Mexico.

All these provisions had been embodied in what was known at the time as the "Omnibus Bill," which was defeated. The result was attained by separate measures. Daniel Webster committed political suicide in the delivery of his "Seventh-of March" speech on these questions. He took refuge in the climatic defense of slavery, as did Governor Robert J. Walker of Kansas, a few years later, saying that slavery was excluded from the territory under consideration by "the law of Nature, of physical geography, the law of the formation of the earth."

The Compromise of 1850 destroyed the Whig party. The execution of the Fugitive-slave law of that year disgusted the North, and the Whig party, being charged with the responsibility of its enactment, was in due course abandoned and wrecked.

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CHAPTER XIV

THE PROVISIONAL GOVERNMENT

The country of which Kansas was a part was known as early as 1844 as "The Platte Country." It was inevitable that the whites should sooner or later demand that country for settlement. The two great trails across the continent passed through it. Knowledge of its fertility and suitability for settlement gradually spread over the United States. Notwithstanding the fact that the eastern portion of it abutting on the State of Missouri had been given to Emigrant Indian tribes, many people believed that it should be thrown open to white occupation. In the year 1844 the Secretary of War recommended the organization of a territorial government for that part of the country lying immediately West of the State of Missouri.[1] Mr. Douglas was a member of the House Committee on Territories. On the 17th of December, 1844, he introduced a bill to establish the Territory of Nebraska. The bill was referred in the usual manner, and an amendatory bill was reported January 7, 1845. This bill was referred to the Committee of the Whole on the State of the Union, but no further action was ever had on it. The country embraced in the Territory of Nebraska, as defined in the bill, extended from thirty-six thirty to what is now the north line of the State of Nebraska.

No other effort was made to organize a territory from the Platte Country until 1848. In the meantime Mr. Douglas had been elected

[1] The suggestion of "Nebraska" for the name of a territory was made by Hon. William Wilkins, Secretary of War under President Tyler. This is the original mention of Nebraska in connection with the territory to be organized in that country between the states of Missouri and Iowa and the crest of the Rocky Mountains. In his report dated November 30, 1844, he discussed at some length the exploration of Lieutenant Fremont. He was moved to this discussion by the disinclination manifested by Congress to organize a Territorial Government for Oregon. He believed that the organization of Nebraska Territory and the extension westward of military posts, would strengthen the claim of the United States on the Oregon country. He said in his report: "A territorial organization of the country, and a military force placed on the very summit, whence flows all the great streams of the North American Continent, either into the Gulf of Mexico or the Pacific Ocean, would no longer leave our title to the Oregon territory a barren or untenable claim. Its possession and occupancy would thenceforth not depend upon the naval superiority on the Pacific Ocean. Troops and supplies from the projected Nebraska Territory would be able to contend for its possession with any force coming from the sea."

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Senator from Illinois. A bill which he had introduced in the Senate to establish the Territory of Nebraska was made the order of the day for April 24, 1848, but no action was ever had on it.

On the 4th of December, 1848, Mr. Douglas gave notice in the Senate that he would prepare and introduce another bill for the organization of Nebraska Territory. The bill was introduced on the 20th of December, 1848, but no action was ever taken by the Senate on that bill.

The introduction of these bills increased the demand for the organization of a territory west of Missouri. In some of the Emigrant Indian tribes having reservations there, men of education and influence were to be found. This was especially true of the Shawnees, Delawares and Wyandots. They comprehended their condition, and plainly discerned the tendencies of the time. Only an invisible line separated them from the people of Missouri. There were missions in the reservations of these tribes where good schools were maintained. Among the Wyandots especially, there were a number of excellent business men. There was not so much as a quarter-blood Indian in the entire tribe. Many of the Wyandots had very little Indian blood. They had sought the country in the fork of the Missouri and Kansas rivers because of its proximity to civilization. They erected comfortable dwellings, and they had an established government of their own, which was very nearly as good as any in the states. A number of the Wyandots engaged in business at Westport, and, later, at the Kansas Landing, which finally became Kansas City, Missouri. These people realized that the organization of a territory for the country in which they lived would enhance the value of their lands. They understood perfectly that the government would eventually find a way to divest them of their reservation as it had done in the case of all the tribes east of the Mississippi River. They were not averse to being included in an organized state or territory.

The people of Missouri were more interested in the organization of a territory adjoining their Western frontier than those of any other state. The organization of this territory soon became a political issue in Missouri. Thomas H. Benton was the great Senator from that state at the time. He had served nearly thirty years. He had favored slavery, but had become more liberal in his views with passing time. When the Democratic party was made a pro-slavery party Benton was no longer in accord with it. Two factions developed in the party in Missouri. One was lead by Benton, while the other was led by David R. Atchison. With Atchison were a number of men who had assisted in carrying the Democratic party over to the extreme slavery interests. Among these were William C. Price, of Greene County, and Claiborne F. Jackson. These men resolved to drive Senator Benton from public life. They caused to be introduced in the General Assembly in December, 1848, what became known as the "Jackson Resolutions," for the purpose of "instructing Benton out of the Senate." These resolutions affirmed that the actions of the Northern states on the subject of slavery had released the slaveholding states from all further adherence to the basis of the Missouri Compromise. Also that the right to prohibit slavery in any territory belonged

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exclusively to the people thereof to be expressed and exercised by them in forming their constitution for admission as a state. Also that the passage of any act of Congress conflicting with the principles of these resolutions would force Missouri to act with the other Southern states against the encroachments of "Northern fanaticism." The sixth resolution instructed the representatives of Missouri to act in conformity with the resolutions. These resolutions were prepared by the followers of Senator Calhoun, of South Carolina, and who were active in the slavery propaganda which was taking possession of the Democratic party. They were formulated by William C. Price.[2]

Senator Benton was not a man to be dictated to in such a matter. The General Assembly to be elected would either re-elect Benton or choose his successor. On the 26th of May, 1849, Benton delivered a speech at Jefferson City in which he denounced the Jackson resolutions and appealed to the people. He declared that they were "a mere copy of the Calhoun resolutions offered in the Senate." He insisted that the resolutions entertained "The covert purpose of disrupting the territorial union and misleading the people of Missouri into co-operation with the slave-holding states for that purpose." The campaign was one of great bitterness, and it ended by leaving the result in doubt. It was not certain that Benton had been beaten. The joint session of the two houses began January 10, 1851. On the 11th, a member of the house offered a resolution that one-half of the State of Missouri was misrepresented in the person of Thomas H. Benton in the United States Senate, and that the joint session would not adjourn until a United States Senator who would reflect the true interests of Missouri had been elected. The Whigs did not have a majority in the joint session, but each faction of the Democratic party preferred that they should win rather than that the other wing of the Democratic party should succeed. On the fortieth ballot Henry S. Geyer, a Whig, was elected United States Senator to succeed Thomas H. Benton. He won by the aid of the radical pro-slavery element in the General Assembly.

It had been supposed by the pro-slavery faction of the Missouri Democracy that the defeat of Senator Benton would mean his retirement from

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[2] Judge Price often told the author that he formulated the Jackson resolutions. In a conference, at Jefferson City, of the men opposed to Benton, ways and means of eliminating him were under discussion. All agreed that he must be beaten and politically discredited in Missouri because of his growing aversion to slavery. The question was: How to do it. Price proposed the substance of the Jackson resolutions, saying that Benton would not obey them. His refusal would put him in opposition to the Democratic party of Missouri, then becoming a slave party. At first his suggestion was not accepted, but before the conference adjourned, it had been agreed to, and Judge Price was instructed to draw up the resolutions. In the *History of Clay and Platte Counties*, Mo., 1885, p. 149, it is said that these resolutions were the work of Judge W. B. Napton, of Saline County. But there is no doubt that they were written by Judge Price; Judge Napton may have had a hand in their formulation.

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public life. This proved to be a wrong conclusion. Senator Benton became a candidate for Representative in Congress in 1852. In his canvass for that office, the organization of Nebraska Territory became an issue in Missouri.

Senator Benton had long been known as the champion of that country extending west from Missouri to the Pacific Ocean. In his first public utterance concerning this vast territory he had been opposed to extending the limits of the United States beyond the crest of the Rocky Mountains. William Gilpin was an adherent of Senator Benton and for many years his warm personal friend. Gilpin was the apostle of the West. No other man of his day was so well informed as to the topography and resources of the regions of the Rocky Mountains and the Pacific Coast. His vision of that country revealed to him a land of many states, and supporting a dense population. He saw it girded about with railroads. He traveled over it and explored it from Independence to the mouth of the Columbia. He believed the great iron highway to penetrate that country would leave the frontier of Missouri at the mouth of the Kansas River. He imbued Senator Benton with his views; and to Gilpin more than Senator Benton is due the careful and scientific exploration of the West.

The necessity for railroad communication with the Pacific Coast was growing more pressing. California had been made a State, and the settlement of Utah demanded markets for products, and the importation of manufactured articles. Benton had introduced in the Senate, in 1849, a bill for the construction of a Central National Road to the Pacific. On the 16th day of December, 1850, he introduced a much more elaborate bill for a "Central National Highway to the Pacific Ocean," which was to begin at the Mississippi, in Missouri, and end at the Bay of San Francisco.

During his canvass for his election to the House of Representatives, the construction of this road was connected with his advocacy of the organization of Nebraska Territory. He insisted that all that part of the Platte Country not included within the boundary of specified Indian reservations, could be legally settled upon and occupied by citizens of the United States. Later he had a map prepared and published, showing the unoccupied lands, and he came to advocate the immediate settlement of these lands whether a territory was organized or not.

The continual agitation of the Nebraska question influenced the Indians living in the Platte Country, and caused them to act for themselves. At Fort Leavenworth, in 1848, the great "Council Fire" of the Northwestern Indian Confederacy had been rekindled by the Emigrant Indian tribes. The Wyandots had been for generations the keepers of that fire, and upon its revival in the West, they had been continued in that responsible office—they stood at the head of the renewed Confederacy. In the winter of 1851-2, they petitioned Congress to establish a Territorial Government for Nebraska. No notice was accorded the petition, and they took further action, such as they supposed would compel attention. On the 12th day of October, 1852, they held, in the Council-house, in what is now Kansas City, Kansas, an election for a Delegate to Congress. Wil-

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liam Walker set down this in his journal: "Attended the election for Delegate for Congress from Nebraska Territory. A. Guthrie received the entire vote polled."

At Fort Leavenworth there was opposition to the action of the Wyandot Nation. The Commandant there threatened to arrest Mr. Guthrie if he persisted in having the election held. The action of this officer was inspired, no doubt, by the radical Democracy of Missouri. Seeing that Mr. Guthrie paid no heed to the opposition of the military, the power which had caused this opposition changed tactics. Mr. Banow, at the Fort, became a candidate for Delegate, and the military authorities caused another election to be called. Mr. Guthrie, though recently elected, stood in the election called by the officers at Fort Leavenworth, and defeated Mr. Banow by a vote of 54 to 16. Having been twice elected, Mr. Guthrie was not again molested.

Abelard Guthrie was a member of the Wyandot Nation. He was a white man who had married Quindaro Nancy Brown, an accomplished Wyandot woman. He was a native of Ohio, having been born at Dayton, in that State. During the Mexican War, he had been a paymaster in the Army. In this capacity he had traveled over that portion of Mexico traversed by the armies of the United States. He was a man of intelligence and character. He had been in the United States Indian service before his connection with the Army and knew many of the Wyandot Indians. When he returned from Mexico he followed them to the mouth of the Kansas River, and was there married to Miss Brown.[3]

Mr. Guthrie set out for Washington, November 20th. On December 1st he wrote to Governor Walker, from Cincinnati, that he had traveled from St. Louis to Cincinnati with the Missouri Senators, Atchison and Geyer, and that no assistance from them could be expected.

When Mr. Guthrie arrived in Washington he set to work with energy to accomplish the purpose for which he had been sent. On December 9th he wrote Governor Walker that Willard P. Hall,[4] member of the

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[3] Quindaro Nancy Brown was descended from Adam Brown, who was captured by the Wyandot Indians in Greenbrier County, Virginia, in Dunmore's War. He was carried to the Wyandot country and adopted by the tribe. He married a Wyandot woman, and his descendants were numerous in the Wyandot Nation. For full accounts of Brown and the Wyandot Indians, see Connelley's *Provisional Government of Nebraska Territory*.

[4] Willard Preble Hall was born at Harpers Ferry, Virginia, May 9, 1820. In 1840 he came to Missouri and studied law with his brother, William A. Hall, of Randolph County. In 1841 he removed to Platte County where he engaged in the practice of law. In 1843 he removed to St. Joseph, Missouri, which was his home during the remainder of his life. In 1844 he was one of the candidates on the Democratic Electoral ticket. He was a member of Doniphan's Expedition. He and Colonel Doniphan prepared the first code of laws for New Mexico after it became part of the United States. While absent from Missouri with Doniphan, he was elected to Congress from the St. Joseph district. In 1861 he was chosen Lieutenant Governor of the Provisional Government of Missouri. The Governor was in feeble health much of the time and Mr. Hall frequently acted as Governor of Missouri during the Civil War.

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House, had prepared a bill and would introduce it the following week. The bill provided for the organization of the Territory of the Platte with the following boundaries: On the south, thirty-six thirty; on the north, the forty-third degree; on the west, the summit of the Rocky Mountains; on the east, by Missouri. So effective were Mr. Guthrie's efforts that the Chairman of the Committee on Territories assured him that if Mr. Hall did not introduce his bill, the Committee would introduce one. Mr. Hall introduced his bill on the 13th of December, and it was referred to the

ABELARD GUTHRIE

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Committee on Territories. Hall's bill was never reported by the Committee, but in lieu thereof William A. Richardson, of Illinois, from the Committee, reported a bill on February 2, 1853, providing for the organization of Nebraska Territory, with boundaries identical with those in Hall's bill. In the Committee of the Whole the bill met with strong opposition from Southern members and was reported back to the House with a recommendation for its rejection, but on February 10, 1853, it passed the House by a vote of 98 to 43. On the following day it was sent to the Senate where it was referred to the Committee on Territories of which Stephen A. Douglas was Chairman. On February 17th, Mr. Douglas reported the bill without amendment. Several unsuccessful efforts

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were made to have it taken up. The Congressional term expired by limitation March 4, and the bill died with the session. Mr. Guthrie believed he had a majority for it in the Senate, and could it have been brought to a vote at an early date it might have passed the Senate.

Although he failed in securing the passage of his bill, Mr. Guthrie virtually accomplished the object sought in his election. He forced a consideration of the question of the organization of Nebraska Territory, and convinced the slave power that the question would have to be settled at the coming session of Congress.

It was determined by the Wyandots that a Territorial Convention for the purpose of organizing a Provisional Government for Nebraska Territory should be held on the day appointed for their national festival, the Green Corn Feast. Their annual National election was often held on this ancient anniversary. In the year 1853 it was fixed to fall upon Tuesday, August 9th. The other Emigrant tribes were notified of this intention, and asked to send delegates; and all white men then resident in the Territory among the Emigrant tribes were requested to be present and participate in the work. Russell Garrett says the notices were written. Only such white persons as were then in the service of the Government in the capacity of Agents, Missionaries, Agency-farmers, Agency-blacksmiths, and Agency-carpenters, and the licensed Indian traders were permitted to live in the "Indian Territory." Colonel Benton was advised of this conclusion of the Wyandots, and he approved it, if, indeed, he had not urged it.

The determination to organize the Provisional Government of Nebraska at the Convention in the interest of the "Central Route" made it necessary that this meeting should be held in the Council-house of the Wyandot Nation. Abelard Guthrie was, perhaps, the only Wyandot notified in advance of this change in the program. Governor Walker in his "Notes" says: "In the summer of 1853, a Territorial Convention was held pursuant to previous notice to be held in Wyandot. The Convention met on the 26th of July—." This statement does not say that the notice was that the Convention should meet on the 26th of July. In Governor Walker's entry in his Journal, describing the Convention and its proceedings, he states that he did not attend this meeting until noon and then only after he had, Cincinnatus-like, been sent for. It is more than probable that he did not know of the change in the order of events until he arrived at the Council-house. The series of Resolutions adopted by the Convention and which served the Provisional Government as a Constitution bears only one resolution in his handwriting. And it was not his intention to accept the position of Provisional Governor. Public office had no attractions for him. He intended that one of his brothers, either Matthew R. Walker or Joel Walker, splendid business men of great energy, and both possessing fine executive ability, and several years younger than himself, should be selected as the Provisional Governor of Nebraska Territory.[5]

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[5] William Walker was a Wyandot Indian of one-sixteenth blood. He was born in what is now Wayne County, Michigan, March 5, 1800. His

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Among the delegates to the Convention were the following persons: William Walker, Russell Garrett, Silas Armstrong, W. F. Dyer, Isaac Munday, James Findley, —— Grover, William Gilpin (afterwards Governor of Colorado), Thomas Johnson, George I. Clark, Joel Walker, Joel W. Garrett, Charles B. Garrett, Matthias Splitlog, Tauromee, Abelard Guthrie, Matthew R. Walker, Francis A. Hicks, John W. Gray-Eyes, Irvin P. Long, H. C. Long, and Captain Bull-Head. The Blue-Jackets and other Shawnees were present.

The only written account of the Convention and the proceedings, so far found, is that in Governor Walker's Journal, as follows:

Monday, July 25, 1853.—Cool and cloudy morning. Resumed cutting my grass. Warm through the day. Sent Harriet to Kansas [Kansas City, Mo., now] for some medicines for Mr. C., who has every other day a chill. In the evening three gentlemen rode up and enquired if W. W. resided here. Upon being assured in the affirmative they stated they wished to stay all night. I sent them to C. B. G.'s. They said they were delegates to the Rail Road meeting in Nebraska on the 26th inst. I would gladly have entertained them, but owing to family sickness I was compelled to send them where I did.

Tuesday, July 26, 1853.—At noon a messenger was sent for me to attend the Rail-Road Convention. I saddled my horse and rode up to the Wyandott Council House, where I found a large collection of the habitans of Nebraska.

The meeting was called to order and organized by the appointment of Wm. P. Birney of Delaware, President, and Wm. Walker, Secy. A Committee was then appointed to prepare resolutions expressive of the sense of the meeting. James Findley, ——— Dyer and Silas Armstrong were appointed.

In accordance with the resolutions adopted, the following officers were elected as a provisional government for the Territory: For provisional Governor, Wm. Walker; Sec'y of the Territory, G. I. Clark; Councilmen, R. C. Miller, Isaac Mundy, and M. R. Walker.

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father, William Walker, Senior, was captured in Rockbridge County, Virginia, in 1781, by the Delaware Indians. He was then a small boy. The Delaware Indians gave him to the Wyandots. He was adopted into the Wyandot tribe and married Catherine Rankin, daughter of James and Mary (Montour) Rankin. Mary Montour was the descendent of that famous Indian woman, Madame Montour, and the daughter of Queen Esther, who slew the captives at Bloody Rock, in the Valley of Wyoming. The son of William Walker, the captive, was William Walker, who became Provisional Governor of Nebraska Territory. He was well educated, having attended, at Kenyon, Bishop Chase's famous college at Gambier, Ohio. He was Head Chief of the Wyandot Nation, at Upper Sandusky, Ohio. He came with his tribe to the mouth of the Kansas River in the summer of 1843. The Wyandots bought the land in the fork of the Missouri and Kansas rivers from the Delawares. William Walker built a commodious residence on the bank of Jersey Creek, in what is now Kansas City, Kansas. He was the leading man of the Wyandot Nation. He kept a Journal of his daily transactions for nearly forty years. This is one of the most valuable records relating to Kansas. A portion of his Journal is published in Connelley's *Provisional Government of Nebraska Territory*. William Walker is not to be confused with Robert J. Walker, who was later a Territorial Governor of Kansas.

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Resolutions were adopted expressive of the Convention's preference of the Great Central Rail Road Route.

A. Guthrie, late delegate, was nominated as the Candidate for re-election. Adjourned.

The resolutions are in the Collection of William E. Connelley. They were prepared by William Gilpin, and are in his handwriting. They served as the constitution, authority, or fundamental law of the Provi-

WILLIAM WALKER, PROVISIONAL GOVERNOR OF NEBRASKA TERRITORY

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sional Government of Nebraska Territory. They constitute the first state paper of Kansas and of Nebraska, and are as follows:

Whereas it appears to be the will of the people of the United States that the Mississippi Valley and Pacific Ocean shall be connected by railroad to be built at the national expense and for the national benefit; it becomes the duty of the people to make known their will in relation to the location of said road and the means to be employed in its construction. In selecting a route "the greatest good to the greatest number" should be the first consideration and economy in the construction and in protecting the road should be the second.

In estimating the "greatest good to the greatest number," present population alone should not govern, but the capability of the regions to be traversed by the road, for sustaining population should be considered.

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Economy in the construction will be best secured by the cultivation of a productive soil, where materials for the road exist, along and contiguous to the line of road whereby provisions, labor and materials can be obtained at low rates. Then the farmers with their teeming fields will ever be in advance of the railroad laborer to furnish him with abundance of wholesome food at prices which free competition always reduces to a reasonable standard. At the same time they will be a defense to the work and the workman against savage malice without the expense of keeping up armies and military posts. These, too, will be the surest and safest protectors of the road when finished and without expense to the Government. But should the road be constructed through barren wastes and arid mountains and upon the frontier of a foreign and jealous and hostile people an immense and expensive military power must be erected to protect it—a power ever dangerous to freedom and desirable only to despots. In view of these facts therefore be it

Resolved, That from personal knowledge of the country and from reliable information derived from those who have traveled over it we feel entire confidence in the eligibility of the Central Route as embracing within itself all the advantages and affording all the facilities necessary to the successful prosecution of this great enterprise.

Resolved, That grants of large bodies of the public lands to corporate companies for the purpose of building railroads, telegraph lines or for any purpose whatever are detrimental to the public interests, that they prevent settlement, are oppressive and unjust to the pioneer settler and retard the growth and prosperity of the country in which they lie.

Resolved, That we cordially approve of the plan for the construction of a railroad to connect the Mississippi valley and Pacific Ocean recently submitted to the public by the Hon. Thomas H. Benton whereby the settlement and prosperity of the vast country between Missouri and California will be promoted and the construction of that great work be rendered much cheaper, more expeditious, and more universally useful.

Resolved, That it was with profound regret that we heard of the failure of the bill to organize a government for Nebraska Territory; that justice and sound policy alike demand the consummation of this measure and we therefore respectfully but earnestly recommend it to the favorable consideration of Congress and ask for it the earliest possible passage.

Resolved, That the people of Nebraska cherish a profound sense of obligation to the Hon. Thomas H. Benton and to the Hon. Willard P. Hall of Missouri for their generous and patriotic exertions in support of the rights and interests of our territory and that we hereby express to them our grateful acknowledgments.

Whereas it is a fundamental principle in the theory and practice of our government that there shall be no taxation without representation and the citizens of Nebraska being subject to the same laws for the collection of revenue for the support of government as other citizens of the United States it is but right that they shall be represented in Congress, therefore be it

Resolved, That the citizens of Nebraska Territory will meet in their respective precincts on the second Tuesday of October next and elect one delegate to represent them in the thirty-third Congress.

Resolved, That this Convention do appoint a provisional Governor, a provisional Secretary of State and a Council of three persons, and that all election returns shall be made to the Secretary of State and be by him opened and the votes counted in the presence of the Governor and Council on the second Tuesday of November next and that a certificate of election shall be issued by them to the person having the largest number of votes.

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Resolved, That while we earnestly desire to see this territory organized, and become the home of the white man, we as earnestly disclaim all intention or desire to infringe upon the rights of the Indians holding lands within the boundaries of said territory.

Resolved, That the people of Nebraska Territory are not unmindful of the services rendered by our late Delegate in Congress, the Hon. Abelard Guthrie, and we hereby tender him our sincere thanks and profound gratitude for the same.

Resolved, That this Convention nominate a suitable person to represent Nebraska Territory in the 33rd Congress.

Resolved, That Editors of Newspapers throughout the country favorable to the Organization of Nebraska Territory and to the Central Route to the Pacific Ocean are requested to publish the proceedings of this Convention.

Resolved, That the Editors of Newspapers throughout the country who are favorable to the organization of Nebraska Territory and to the Central Route to the Pacific Ocean are requested to publish the proceedings of this Convention.

Endorsed on the back are these words:

Preamble and resolutions to be submitted to the Nebraska Convention to meet on the 26th July, 1853.

While no boundaries were fixed for the Territory for which the Provisional Government was organized it was taken as a matter granted that the Territory included the same area as defined in the Hall, the Richardson, and other bills.

The organization of the Provisional Government of Nebraska Territory gave general satisfaction to the people of Missouri. It had been effected with the assistance of the Benton faction of the Missouri Democracy. It was the faction which was drifting away from slavery and toward Freesoilism. Both factions became now intent on securing the Delegate to Congress to be elected in the following October. In this contest the Price-Atchison faction had a tremendous advantage, as it controlled the patronage of the Indian Bureau of the Department of the Interior, while Mr. Guthrie, Benton's representative, could only depend upon his personal efforts and the efforts of his personal friends.

Hand-bills were printed containing the record of the proceedings of the Convention. These were distributed, and were copied into the newspapers of Missouri. In Governor Walker's Journal mention is made of this fact:

Thursday, July 28, 1853.—
A. Guthrie called upon and dined with us today.
Rec'd the printed proceedings of the Nebraska Territorial Convention. Great credit is due the Proprietors of the "Industrial Luminary" in Parkville for their promptitude in publishing the proceedings in hand-bills in so short a time.

The first duty of the new Government was to call the election for Delegate, as directed by the resolutions. Governor Walker's mention of this event is as follows:

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Saturday, July 30, 1853.— . . .

Well, by action of the Convention of Tuesday last I was elected Provisional Governor of this Territory. The first executive act devolving on me is, to issue a Proclamation ordering an election to be held in the different precincts of one delegate to the 33rd Congress.

Monday, August 1, 1853.—Issued my proclamation for holding an election in the different precincts in the territory on the second Tuesday in October, for one delegate to the 33rd Congress.

This proclamation was printed and distributed throughout the Territory; and in all probability it was printed in some of the newspapers

JOEL WALKER GARRETT

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of Missouri. Their preparation for distribution is mentioned by Governor Walker:

Monday, August 8, 1853.—Geo. J. Clark, Sec'y of the Territory, called this morning and delivered the printed Proclamation (200 copies) for circulation.

It had been the hope of Colonel Benton and Mr. Guthrie that no candidate would be put forward to stand for election against the regular nominee of the Territorial Convention. While the leaders of the Price-Atchison Democracy had opposed the organization of a Provi-

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sional Government and believed that the slave power could prevent the admission of Nebraska Territory and the recognition of its Provisional Government, it still believed it best to participate in the election for Delegate to Congress. A strong man in thorough sympathy with the extremists of the slave power of the South was sought for and found in the person of Rev. Thomas Johnson, Missionary of the Methodist Episcopal Church, South, to the Shawnees. Mr. Johnson resided near Westport, Missouri, in the Shawnee country. The Shawnee and Kickapoo tribes are closely related by blood, and Mr. Johnson's nomination was made in the country of the latter tribe. Governor Walker says:

A few days after the adjournment of this Convention another rather informally was called at Kickapoo, at which Mr. Johnson was nominated as Candidate for Delegate. The latter then yielded to the wishes of his friends and became a candidate in opposition to the regular nominee.

Having secured a strong candidate the Price-Atchison Democracy brought to bear every influence at their command to secure his election. The Commissioner of Indian Affairs came to the Territory where he remained more than a month to influence personally the Emigrant tribes (and perhaps the other tribes) to vote for Mr. Johnson. Governor Walker leaves us enough evidence to confirm this:

Tuesday, September 6, 1853.—Mr. Commissioner Manypenny came over in company with Rev. Thos. Johnson to pay the Wyandotts a visit. The Council being in session I introduced him to the Council. To which body he made a short address.

Thursday, October 6, 1853.— . . .

Received a letter from Maj. Robinson informing me that Com. Manypenny wished to have an interview with the Council tomorrow.

Friday, October 7, 1853.— . . .

Attended a Council called by the Com. of Indian Affairs. Speeches were passed between the parties on the subject of the Territorial organization, (and) selling out to the gov't.

Tuesday, October 11, 1853.—Attended the election for delegate to Congress, for Wyandott precinct. Fifty-one votes were polled.

A. Guthrie	33
Tom Johnson	18

The priesthood of the Methodist Episcopal Church made unusual exertions to obtain a majority for their holy brother. Amidst the exertions of their obsequious tools it was apparent it was an up-hill piece of business in Wyandott.

Executed a commission to J. B. Nones as Commissioner and Notary Public for Nebraska Territory.

Monday, October 31, 1853.— . . .

I suppose we may safely set down Thomas Johnson's election for delegate as certain. It is not at all surprising, when we look at the fearful odds between the opposing Candidates. Mr. Guthrie had only his personal friends to support him with their votes and influence, while the former had the whole power of the Federal government, the presence and active support of the Commissioner of Indian Affairs, the military, the Indian Agents, Missionaries, Indian Traders, etc. A combined power that is irresistible.

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The Territorial Council canvassed the returns of the election at the Wyandot Council-house Nov. 7, 1853; and it issued a certificate of election to Mr. Johnson on Nov. 8th. Governor Walker notes these transactions in his Journal:

Monday, November 7, 1853.—Attended at the Council House at an early hour, though in poor health.

The Territorial Council, Sec'y and Governor, then proceeded to open the returns of the Territorial Election. After canvassing the Returns it appeared that Thomas Johnson had received the highest number of votes and was declared elected delegate to the 33rd Congress.

Tuesday, November 8, 1853.—J. W. Garrett, deputy Secretary, attended at my House and we issued the certificate of election to Thomas Johnson, delegate elect to the 33rd Congress.

The Wyandots felt outraged by the action of the Commissioner of Indian Affairs but as their interests were so largely in his hands they could do nothing else than submit without protest, and this they all did, except Mr. Guthrie. He filed a contest for the seat of Delegate and vigorously attacked the Commissioner of Indian Affairs in the public prints. He spent a portion of the winter in Washington and labored for the Territorial Government of Nebraska until he was convinced that the slave power would organize two Territories, and endeavor to make one for slavery, and permit the other to come into the Union, free. In relation to Mr. Guthrie's attacks on the Commissioner of Indian Affairs Governor Walker says:

Saturday, November 12, 1853.— . . .

Mr. Guthrie called and examined the election returns for delegate, and intends taking copies of them.

Thursday, November 24, 1853.— . . .

Wrote a communication to Col. Manypenny, Commissioner of Indian Affairs, correcting an error in a communication published in the Missouri Democrat by Mr. A. Guthrie in relation to a speech delivered by the former to the Wyandott Council.

Thursday, January 12, 1854.— . . .

Rec. two letters from A. Guthrie. In trouble again. Wants certificates to prove his charges against Commissioner Manypenny. I can't help him much.

Saturday, January 28, 1854.— . . .

Rec'd an "Ohio State Journal." This is the amount of my mail. Guthrie out on Col. Manypenny again. The former, I fear, will come off second best. He is imprudent and rash.

But bitter as the fight became between Johnson and Guthrie, they were not the only candidates voted for at this election. Governor Walker says:

Upon canvassing the returns it was found that a third candidate was voted for in the Bellevue precinct, in the person of Hadley D. Johnston, Esq., who rec'd 358 votes.

From information derived from that precinct it appeared that Mr. Johnston was an actual resident of Iowa, and at that time a member of the Legislature of that State; and an additional circumstance tending

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to vitiate the election in this precinct was that a large majority of the voters were actual residents of that State. The officers were compelled to reject these returns.

Mr. Johnson, many years later, made a statement concerning his election from which a quotation is made. His credentials consisted only of the certificate of the judges and clerks of the election stating the fact that he received a certain number of votes in the election held in the Bellevue precinct. The poll-books must have been sent to the Provisional Government as the returns were canvassed there; and it is more than probable that Mr. Johnson's certificate was not written until after it was known that the votes of the Bellevue precinct had been rejected by the Territorial Council. Mr. Johnson said:

As early as 1848, the subject of the organization of a new territory west of the Missouri river was mentioned, and in congress I think a bill was introduced in that year, but did not become a law, and in 1852 the subject having been long discussed, a bill was introduced, but again without result. In 1852, however, the railroad question having been agitated more generally during the preceding year, during the session of 1852-3, a bill was reported to congress providing for the organization of the Territory of Nebraska, within the boundaries, substantially I believe, now embraced in the states of Kansas and Nebraska. Prior to this, however, some of the citizens of western Missouri, and a few persons residing or staying temporarily in the Indian country west of the Missouri river, took steps to hold an informal election of a delegate who should attend the coming session of congress and urge the passage of the territorial bill. This election, though not sanctioned by any law, and informal, was ordered to be held by a meeting of a number of persons held in the Indian country south of the Platte river, who fixed a day on which the election was to be held, and designated certain places at which votes would be received. Among the places named, appeared Bellevue or Trader's Point. A newspaper printed somewhere in Missouri, containing a notice of this election, accidentally came into my possession a few days prior to the date fixed for the election. On reading this announcement, I immediately communicated the news to prominent citizens of Council Bluffs, and it was at once decided that Iowa should compete for the empty honors connected with the delegateship. An election at Sarpy's was determined on; arrangements made with the owner of the ferry-boat at that point to transport the *impromptu* emigrants to their new homes, and they were accordingly landed on the west shore of the Missouri river a few hundred yards above Sarpy's trading house, where, on the day appointed, an election was held, the result of which may be learned from the original certificate hereto annexed, a copy of which was sent to the Honorable Bernhart Henn, the member of the house of representatives from Iowa, by him submitted to the house, and referred to the committee on elections, but for reasons obvious to the reader of the proceedings of Congress immediately following, no report was ever made by that committee in the case.

I may remark here that I consented with much reluctance to the use of my name in this connection, and for several reasons: I was poor and could not well afford to neglect my business and spend a winter at Washington; the expenses of the trip I knew would be a heavy drain upon my limited exchequer; besides I had so lately neglected my private affairs by my service at Iowa City. However, I finally yielded to the earnest request of a number of my personal friends, who were also ardent friends

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of the new scheme, and consented to the use of my name, at the same time pledging my word that I would proceed to Washington if chosen and do the best I could to advance the cause we had in hand. In addition to the ballots cast for me for delegate at this election, the Rev. William Hamilton received 304 votes for provisional Governor; Dr. Monson H. Clark received 295 for Secretary, and H. P. Downs 283 for Treasurer.

These proceedings at Sarpy's landing were followed by various public meetings in Iowa (and also in Missouri), at which resolutions were adopted, urging the organization of Nebraska territory. Amongst others, meetings were held at Council Bluffs, St. Mary's, Glenwood, and Sidney, at which the actions at Sarpy's were endorsed. Earnest and eloquent speeches were made by such leading citizens as Hon. W. C. Means and Judge Snyder of Page county, Judge Greenwood, Hiram P. Bennett, Wm. McEwen, Col. J. L. Sharp, Hon. A. A. Bradford, L. Lingenfelter, C. W. McKissick, Hon. Benjamin Rector, Charles W. Pierce, Dan. H. Solomon, ——— Downs, I. M. Dews, George Hepner, Wm. G. English, Geo. P. Stiles, Marshal Turley, Dr. M. H. Clark, and others.

In the month of November, Council Bluffs was visited by Hon. Augustus C. Dodge, Col. Samuel H. Curtis, and other distinguished citizens of other states, who attended and addressed meetings of the people of the town, warmly advocating the construction of our contemplated railroads, and the organization of Nebraska territory. In its issue of December 14, 1853, the Council Bluffs *Bugle* announced that "H. D. Johnson, delegate elect from Nebraska, passed through our place on his way to Washington last week."

In compliance with my agreement, I set about making arrangements to visit the national capital, which, as you may suppose, was not easily accomplished. Before starting, however, a number of our citizens who took such a deep interest in the organization of a territory west of Iowa, had on due thought and consultation agreed upon a plan which I had formed, which was the organization of two territories west of the Missouri river, instead of one as had heretofore been contemplated, and I had traced on a map hanging in the office of Johnson & Cassady a line which I hoped would be the southern boundary of Nebraska, which it finally did become, and so continues to the present time.

In starting out upon this second pilgrimage, I again faced the dreary desolate prairies of the then sparsely settled Iowa, but not as a year before, solitary and alone. B. R. Pegram, then a young and enterprising merchant of Council Bluffs, being about to visit St. Louis, it was agreed that we should travel in company to Keokuk, he with a horse and buggy, I with a horse and saddle. The trip was accomplished in safety, and on arriving at Keokuk, we took a steamer for St. Louis, shipping the horses and buggy.

On arriving at St. Louis, I tried in vain to sell my horse for a satisfactory price, and leaving him with a friend to be sold afterwards, I took a steamer bound for Cincinnati, whence I boarded a railroad train for Washington. (I remark in parenthesis that my horse was not sold, but subsequently died, to my great grief and considerable loss.)

On my arrival at Washington (early in January, 1854) I found that a bill had already been introduced in the senate, and I think referred to the committee on territories, of which the Hon. Stephen A. Douglas was chairman. This bill provided for the organization of the territory of Nebraska, including what is now Kansas and Nebraska, or substantially so. I also found seated at a desk, in the House of Representatives, a portly, dignified, elderly gentleman, who was introduced to me as the Reverend Thomas Johnson. He was an old Virginian; a slave holder, and a Methodist preacher. This gentleman had also been a candidate

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for delegate at the informal election, and was credited with having received 337 votes. He had preceded me to Washington, and together with his friends, ignoring our Sarpy election, had, through some influence *sub rosa,* been installed in a seat at a desk aforesaid, where, being duly served with stationery, etc., he *seemed* to be a member of the house.

Previous to this time, in one or two instances, persons visiting Washington, as representatives of the settlers in unorganized territory, and seeking admission as legal territories, had been recognized unofficially, and after admission had been paid the usual per diem allowance as well as mileage, and in the present case I think my namesake had looked for such a result in his own case, but for my part I had no such expectation.

On being introduced to Mr. Johnson, who seemed somewhat stiff and reserved, I alluded to the manner of my appointment to the present mission, which, like his own, was without legal sanction, but was for a purpose; told him there was no occasion for a contest between us for a seat to which neither of us had a claim; that I came there to suggest and work for the organization of two territories instead of one; that if he saw proper to second my efforts, I believed that we could succeed in the objects for which we each had come.

After this explanation the old gentleman thawed out a little, and we consulted together upon the common subject.

Hon. A. C. Dodge, senator from Iowa, who had from the first been an ardent friend and advocate of my plan, introduced me to Judge Douglas, to whom I unfolded my plan, and asked him to adopt it, which, after mature consideration, he decided to do, and he agreed that, as chairman of the committee on territories, he would report a substitute for the pending bill, which he afterwards did do, and this substitute became the celebrated "Nebraska Bill," and provided, as you know, for the organization of the territories of Kansas and Nebraska.

The Hon. Bernhart Henn, at that time the only member of the house from Iowa, who also was my friend and warmly advocated our territorial scheme, finding that the Rev. Thomas Johnson was seated in the house and posing as a member and not wishing to see him more honorably seated than myself, interceded, I presume with one of the doorkeepers, who admitted me into the house and seated me at a desk beside my friend, the minister, who it afterwards appeared, was like myself, surreptitiously admitted to the seat occupied by him, unknown to the speaker, or perhaps to the chief doorkeeper.

The fates decreed, however, that we were not to hold our seats a great while, for one day the principal doorkeeper approached me as I sat in my seat, and politely inquired who I was, and by what right I occupied the seat; and being by me answered according to the facts, he informed me that as complaint had been made to the speaker, he was under the necessity of respectfully asking me to vacate the seat, as such was the order of the speaker. I replied to him, that of course I would do so, but, I added, as my neighbor on the left occupied his seat by a right similar to my own, I felt it to be my privilege to enquire why I should be ousted while he was permitted to remain. On this the doorkeeper turned to Mr. Johnson, who corroborated my statement, whereupon the "two Johnsons," as we were called, were incontinently bounced and relegated to the galleries.

I never learned, nor did I care to know, whether I was removed at the instance of the friends of Mr. Johnson, or whether a Mr. Guthrie, who had also been a candidate for delegate, had fired a shot at his adversary, the Rev. Thomas. If the latter was the case, in firing he hit two birds. I did not feel hurt by this event, but believe that the dignity of the other Johnson was seriously touched, and himself mortified.

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I ought perhaps to mention the fact that in our negotiations as to the dividing line between Kansas and Nebraska, a good deal of trouble was encountered, Mr. Johnson and his Missouri friends being very anxious that the Platte river should constitute the line, which obviously would not suit the people of Iowa, especially as I believe it was a plan of the American Fur Company to colonize the Indians north of the Platte river. As this plan did not meet with the approbation of my friends or myself, I firmly resolved that this line should not be adopted. Judge Douglas was kind enough to leave that question to me, and I offered to Mr. Johnson the choice of two lines, first, the present line, or second, an imaginary line traversing that divide between the Platte and the Kaw. After considerable parleying, and Mr. Johnson not being willing to accept either line, I finally offered the two alternatives—the fortieth degree of north latitude, or the defeat of the whole bill, for that session at least. After consulting with his friends, I presume, Mr. Johnson very reluctantly consented to the fortieth degree as the dividing line between the two territories, whereupon Judge Douglas prepared and introduced the substitute in a report as chairman of the committee on territories, and immediately, probably the hardest war of words known in American history commenced.

The claims made by Mr. Johnson that he was so frequently consulted by Judge Douglas and that he exercised so much influence on the Kansas-Nebraska bill may well be attributed to his afterthought and his desire to connect himself prominently with an important historical event. Judge Douglas was getting his instructions from the slave propaganda of the South—not from a nondescript and discredited delegate from the free State of Iowa.

Governor Walker's Journal says on March 27, 1854: "Heard that Hon. Thomas Johnson, Delegate elect from this Territory, returned from Washington yesterday."

The cause of the failure of the Provisional Government of Nebraska Territory to secure recognition from the Government of the United States was the division of the Territory it represented into two separate Territories by the Kansas-Nebraska bill. Governor Walker says in his Notes that the provisional government of Nebraska continued in existence till after the organization by Congress of the two Territories and the arrival of A. H. Reeder, the first Governor of Kansas.

What did this movement for the organization of Nebraska Territory accomplish? It forced the Thirty-third Congress to action. The results which Mr. Guthrie claims for himself in his statement to Congress are justly the results of this whole movement. The claim that these results were due to the organization and efforts of the Provisional Government of Nebraska Territory is sustained by history. Few movements in America have produced more far-reaching consequences. Here is what he said in a letter to Hon. Henry L. Dawes, Chairman, Committee on Elections, asking *per diem* and mileage as Delegate.[6]

Allow me also, if you please, to submit the following propositions:

If your committee have any sufficient evidence, or can obtain any, that it was the intention of the party then in power, or any other party,

[6] See Connelley's *Provisional Government of Nebraska Territory.* There will be found copies of the documents relating to the Provisional

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to organize this Territory within any reasonable or definite period, I will abandon my claim.

If the committee have any sufficient evidence, or can procure any, that there was any other course as likely to succeed in securing an organization as that of sending to Congress a man acquainted with the condition, wants, soil, climate, and resources of the Territory, I will give up my claim.

If the committee have any sufficient evidence, or can get any, that it was not the design of the slave power to secure this Territory, by quiet and stealthy legislation and colonization, for the benefit of its favorite institution, I will abandon my claim. But here I wish you to examine the law of 30th June, 1834, annexing this Territory to the State of Missouri for judicial purposes; and the law of 1836, annexing to the same State forever and for all purposes the very large and fertile portion of this Territory lying between the Iowa State line and the Missouri river, cutting us off entirely from contiguous free Territory, the effects of which were disastrously felt during our civil troubles, and to the present day; and also to the several abortive attempts of the late Mr. Douglas to organize this Territory.

If the committee have any sufficient evidence, or can obtain any, that this Territory would not eventually have been received into the Union as a slave State under the skillful management and well matured plans of southern statesmen and their northern friends, I will abandon my claim.

If the committee have any evidence, or can get any, that my movement for a government for Nebraska did not frustrate this design, I will abandon my claim.

If your committee have any sufficient evidence, or can obtain any, that the republican party would have been in existence but for this very act of mine in forcing upon the consideration of Congress the policy of erecting a territorial government over this magnificent region (which the slave power had already practically grasped, and was guarding with jealous care), I will abandon all claim to *per diem* and mileage.

Government of Nebraska Territory, also accounts of the prominent men in the Wyandot Nation.

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CHAPTER XV

REPEAL OF THE MISSOURI COMPROMISE

The Repeal of the Missouri Compromise was the result of the reaction on the people of Missouri of the movement to organize the Territory of Nebraska. The Nebraska question touched the vital principles underlying fundamental law and the political policies of the times. The people of Missouri, or most of them, if politics could have been eliminated, would have favored the organization of the Territory. A powerful faction of the Missouri Democracy favored it. In the beginning, the Price-Atchison faction opposed the organization of Nebraska Territory, believing the time had not come when it could have behind it the aggressive slave propaganda. The discouragement of this faction was voiced by Senator Atchison in his speech in the Senate in March, 1853:

. . . For my own part I acknowledge now, as the Senator from Illinois well knows, when I came to this city, at the beginning of the last session, I was perhaps as much opposed to the proposition as the Senator from Texas [Rusk] now is. The Senator from Iowa knows it. . . . But, sir, I have upon reflection and investigation in my own mind and from the opinion of others, *my constituents* whose opinions I am bound to respect, come to the conclusion that now is the time for the organization of this territory.

One reason that I will assign why I opposed this measure, and why I still think it objectionable in a local point of view, so far as my immediate constituents, the people of western Missouri are concerned, as well as those of Iowa and Arkansas are concerned, is, if you organize the territory of Nebraska and extinguish the Indian title, and let in the white population upon that territory, it extends our frontiers from seven hundred to one thousand miles west, and we raise up competition with what we now have. The states of Iowa and Missouri now have the best market for all their products. We are an agricultural people, and for all the products of agriculture we have now as good a market as any people of the United States, and it grows out of the frontier trade; food for men, food for oxen, food for mules, food for everything, which we produce for California, Oregon and New Mexico. But if we extend this frontier from year to year competition will increase, and we will be compelled to turn our agricultural products down the Missouri and the Mississippi rivers, to the east instead of to the west. . . . The pressure of population from the older states and from Europe has been such that they roll up against the frontier, and the most populous counties in the State of Missouri are upon the western boundary of that State. In less than three years from this time the most populous counties of Iowa will be upon the western border; and it will be the same case, if

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it is not now, with the State of Arkansas. . . . And why is it so? Why, sir, the tide of emigration rolls on until it is stopped by the intercourse laws. Such has been the case in our State for the last ten years, and I know that the tide of population has been rolling back upon the interior of the State. Now, sir, I know very well that in a very few years, if it is not now doing it, the tide of population, in defiance of this government, will pass the frontier and take possession of every habitable spot in Nebraska territory; you cannot keep them out. *There is a large portion of our population who are ready and anxious to abandon their*

DAVID R. ATCHISON

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

homes to go into this Territory. You cannot restrain them much longer. . . .

It was my opinion at that time [the opening of the session]—and I am not now very clear on that subject—that the law of Congress, when the State of Missouri was admitted into the Union, excluding slavery from the territory of Louisiana north of 36° 30′, would be enforced in that Territory unless it was specially rescinded; and, whether that law was in accordance with the Constitution of the United States or not, it would do its work, and that work would be to preclude slaveholders from going into that Territory. But when I came to look into that question, I found that there was no prospect, no hope of a repeal of the Missouri Compromise, excluding slavery from that Territory. Now, sir, I am

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free to admit that at this moment, at this hour, and for all time to come, I should oppose the organization or the settlement of that Territory unless my constituents and the constituents of the whole South, of the slave States of the Union, could go into it upon the same footing, with equal rights and equal privileges, carrying that species of property with them as other people of this Union. Yes, sir, I acknowledge that that would have governed me, but I have no hope that the restriction will ever be repealed.

I have always been of opinion that the first great error committed in the political history of this country was the Ordinance of 1787, rendering the Northwest Territory free territory. The next great error was the Missouri Compromise. But they are both irremediable. There is no remedy for them. We must submit to them. I am prepared to do it. It is evident that the Missouri Compromise cannot be repealed. So far as that question is concerned, we might as well agree to the admission of this territory now as next year, or five or ten years hence.

The sentiments of Senator Atchison's speech are the same he expressed to Abelard Guthrie on the train between St. Louis and Cincinnati when these gentlemen were on the way to Washington in 1852. Writing to Governor William Walker, December 1, of that year, Guthrie said: "From St. Louis I traveled in company with Senators Geyer and Atchison of Mo. and Representatives Richardson and Bissil of Ills. I am sorry to say our Missouri Senators are by no means favorable to our Territorial projects. The slavery question is the cause of this opposition. I regret that it should interfere—it ought not. Mr. Atchison thinks the slaves in Nebraska are already free by the operation of the Missouri Compromise Act, and asks a repeal of that act before any thing shall be done for Nebraska."

The strenuous aggression of Colonel Benton, however, put Senator Atchison on the defensive in the Missouri campaign of 1853. It became necessary for him to define his position toward Nebraska Territory and also toward slavery as it affected that Territory and his action in connection with it. It became the settled conviction of the leaders of his faction of the Missouri Democracy that the organization of the Territory could not be longer prevented. It was, too, plain to them that the perpetuation of slavery would depend upon the result of the contest sure to be precipitated by that organization. If the slave power permitted that Territory to come in free, the opportunity to secure a repeal of the Compromise would be forever lost. So, the Price-Atchison faction of the Missouri Democracy combined with the organization of Nebraska Territory the repeal of the Missouri Compromise. The leaders of that faction determined to exact as the price of that organization the repeal of the famous compact. Their conclusion was announced by Senator Atchison in his speech at Platte City, when he said:

Colonel Benton and others "had assumed that slavery was excluded from that Territory by the law commonly called the Missouri Compromise." If so, *I was then and am now opposed to interfering with that Territory unless that restriction can be removed.* I was in favor of, and did vote for, the *appropriation* of money to enable the President to make

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treaties with the Indians to extinguish their title to lands upon which they reside, and to obtain their consent to the organization of a territorial government, and this was all that Congress should in my opinion have done in the premises at the last session. Now . . . I will tell you what I will do. I will vote for the ratification of treaties to extinguish the Indian titles to lands in that Territory and I will support a bill to organize a government for the Territory *upon the condition that such bill contains no restriction upon the subject of slavery, and not otherwise.* I will vote for a bill that leaves the slaveholder and the non-slaveholder upon terms of equality. *I am willing that the people who may settle there and who have the deepest interest in this question should decide it for themselves.* As a very large and respectable portion of my constituents are directly or indirectly interested in slave property, I am unwilling that they with this species of property should be excluded. I will give no advantage to one citizen over another. Mr. Abelard Guthrie, in an address or circular to his constituents says that "Atchison politely told him that he would see the Territory of Nebraska sunk in hell before he would vote for it as freesoil territory." . . . I do not remember of making use of expressions so emphatic but I will not deny it. I may have said so. But that there may be no mistake and that I may not be misunderstood hereafter, I now say emphatically that *I will not vote for any bill that makes Nebraska a freesoil Territory.* I have not, and I do not intend upon any occasion to yield one inch to the spirit of freesoilism and abolitionism, whether they exhibit themselves here at home or in Washington. Our old Senator of thirty years standing, "he who is known in Europe and America" and who will be known if his own account of things proves true to "posterity" is the author of all the doubts and misgivings as to my position upon this question.

Permit me now to ask what has this distinguished personage who has been Senator from Missouri for so long a time done upon this subject? What has he done toward organizing and settling the Nebraska Territory? What has he ever attempted to do? Did he ever introduce a bill to organize a government or to extinguish the Indian titles in that Territory? If he did, when and where? He has only been absent from the Senate since the fourth of March, 1851, not quite twenty-seven months. What has filled him so brimful with fiery zeal and hot haste? What has induced him to make assertions which he knew not to be true as to the opinions and actions of myself and others? . . . Duty to himself and the State he in part represents should have called forth . . . under other circumstances than those which now surround him an exhibition of this latter-day zeal upon this and kindred subjects. This was necessary to prevent his sincerity being now doubted and his motives impugned.

He emphasized these statements at Parkville on the 6th of August, saying:

Colonel Benton, Mr. Webster, Mr. Clay and others told us that the Act of 1820, commonly called the Missouri Compromise, excluded slavery from this Territory and Congress had the power to pass such a law, and that it was constitutional, and so forth. Benton in one of his speeches declared that there was no slave territory belonging to the United States; that Mexican law excluded slavery from the territory acquired by the treaty with that Republic at the close of the war; that the Missouri Compromise excluded slavery from all the Louisiana country north of 36° 30′ not included in the limits of the State of Missouri (this very Territory of Nebraska). Was it then strange that I should hesitate about sustaining Mr. Hall's bill? Missouri is and always has been a slave

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State. A large portion of my constituents are slaveholders. Could it be expected that I would be very anxious about organizing a Territory from which a large portion of my constituents would be excluded? The State of Missouri is now bounded on two sides by free States; organize this Territory as free territory then we are bounded on three sides by free States or Territories.

What would be the effect upon slave property in Missouri and in this neighborhood it requires no prophet to tell. It is a problem not difficult to solve. The free States have a pious and philanthropic class of men who observe the "higher law" and whose duty it is to attend to other people's business and think that they are rendering God good service in stealing their neighbors' negroes. But, fellow citizens, that I may be clearly understood in relation to this point, *I now declare to you that I will not vote for a bill to organize a government for the Territory of Nebraska unless that bill leaves the Territory open for settlement to all the people of the United States without restriction or limitation; open to the slaveholder as well as to the non-slaveholder.* I will vote for no bill that directly or indirectly makes a discrimination between the citizens of the different States of this Union, North or South, slave or non-slaveholding; no bill that strikes at the equality of the States of this Confederacy. . . .

At the last session of Congress an appropriation was made to enable the President to negotiate treaties with the Indians for the purpose of obtaining their consent to the organization of a government and to purchase their lands for settlement by the white men. This was the object of the appropriation and I voted for it; and I doubt not but that the object of the appropriation will be carried out by the President before the meeting of the next Congress. If so, *then I will vote for and use all the influence I have in favor of a bill to organize a government and to promote its settlement upon the principles I have indicated.* . . .

When Nebraska shall be settled and its people desire to enter this Union as a State, it is the right of the people to form their institutions to suit themselves. They may adopt slavery as one of their institutions or they may exclude it, as they shall deem expedient. If it is the will of a majority of the people of the Territory at that time to exclude slavery, be it so. It is their business, not ours. Let them present us with a republican form of government, this is all that shall be asked. I would vote its admission into the Union. The Territories of the United States, preparatory to their admission into the Union as States, have the right to form their own institutions, as much so as States of the Union have a right to change their institutions.

No person will deny the right of South Carolina to abolish slavery. None will deny the right of Massachusetts to establish slavery. The Territories have the same right when they form their Constitutions and ask admission into this Union as States.

Now am I understood? If there is anything doubtful in my position, I will thank any gentleman to catechize me that I may be clearly and distinctly understood, for I desire upon this question to be understood. I know that my opinion upon this subject has been by some misunderstood and others misrepresented. No person questions me? Then I am understood. . . .

Before the meeting of Congress in December, 1853, there had appeared a new interpretation of the Compromise of 1850. It was contended in some quarters that the terms of the Missouri Compromise were superseded by the Compromise of 1850. This was perhaps intended only

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as an abatement or saving proviso to be insisted upon should the attempt to repeal the Missouri Compromise fail. At the assembling of Congress the contest which had raged so fiercely in Missouri over the establishment of Nebraska Territory was transferred to Washington. The conditions of the struggle at that time may be stated as follows:

1. In Missouri it had been the engrossing issue for two years. The extreme slavery faction there had first opposed the movement. Its second position had been one of acquiescence under protest. Its third stand was that if Nebraska was organized the Missouri Compromise should at the same time be repealed and the country thrown open to slavery. The Benton Democracy, then drifting toward Freesoilism, stood for the organization of Nebraska Territory under the restrictions of the Missouri Compromise, and for the continuance of that Compromise as the law of the land. In Missouri the Whig and Democratic parties were breaking down, and the new alignment was inclining to pro-slavery and anti-slavery parties, though no clear line of demarcation had developed. The extremists enjoyed the advantage which always falls to the party which stands boldly on the aggressive, but the settled conviction of a majority of the people of the State was then against them and always remained against them, even when in their audacity they made every effort to carry the State into the Southern slave cause—into rebellion.

2. In the South the slavery interests were unanimously behind the Price-Atchison faction of the Missouri Democracy. Atchison represented that faction in the Senate. As Missouri was to be more immediately affected by the result of the struggle, she was to lead, and Atchison was to direct the battle and command all the forces. William C. Price was in Washington and a principal figure in the councils of the slavery interests.

3. In the country at large there was little knowledge of the intensity of the situation in Missouri and no conception of the extreme intentions of the slavery interests. This is particularly true of the North. Only the Southern leaders knew what had been determined.[1]

The 33rd Congress convened on the 5th day of December, 1853. On that day Senator A. C. Dodge, of Iowa, gave notice that he would prepare and introduce a bill for the organization of Nebraska Territory. He brought in his bill for that purpose on the 14th of December. It was referred at once to the Senate Committee on Territories. Senator Stephen A. Douglas had been long the chairman of that Committee, and, as we have seen, had brought in bills for the organization of Nebraska Territory himself. He had never shown any interest in the Nebraska matter, and had taken care that no action was ever had in the Senate favorable to the establishment of Nebraska Territory. There is no evidence whatever that he had any more interest in the organization at the beginning of the 33rd Congress than at any other period of

[1] This was constantly asserted by William C. Price in his statements to the author.

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the agitation of this question. He was a candidate for the nomination of the Democratic party for President of the United States. For the preceding fifteen years, at least, he had seen the party drifting into the control of the slave power. There is no reason to suppose that he had done, at any time, anything pertaining to the Nebraska matter beyond what the extremists in the slavery councils desired. On the other hand his whole course confirms the belief that he had been governed in his action by the desire and policy of these extremists, if, indeed, he had not taken his orders from them. He had spent the summer and autumn of 1853 in Europe. There is nothing to indicate that he entertained, at the opening of the 33rd Congress, any more interest in the Nebraska matter than he had manifested for the preceding ten years.

On the 22d of December, 1853, J. G. Miller, of Missouri, introduced in the House, a bill for the organization of Nebraska Territory. It was very nearly the same as the bill of Senator Dodge, and it was referred to the House Committee on Territories, of which the chairman was Hon. William H. Richardson, of Illinois.[2]

The final settlement of political questions of National import, coming into Congress, is always effected in the Senate. Little attention was given to the House bill providing for the organization of Nebraska Territory. The action of the Senate would prove decisive. Senator Douglas feared the effects on the North of an outright repeal of the Missouri Compromise. He hoped to bring about the Repeal by indirection. On the 4th of January, 1854, he reported Senator Dodge's bill which had not mentioned slavery, with the following amendment:

Section 21. And be it further enacted, That in order to avoid all misconstruction, it is hereby declared to be the true intent and meaning of this act, so far as the question of slavery is concerned, to carry into practical operation the following propositions and principles established by the compromise measures of 1850, to-wit:

First: That all questions pertaining to slavery in the Territories and in the new States to be formed therefrom, are to be left to the decision of the people residing therein, through their appropriate representatives.

Second: That "all cases involving title to slaves," and "questions of personal freedom," are referred to the adjudication of the local tribunals, with the right of appeal to the Supreme Court of the United States.

Third: That provisions of the Constitution and laws of the United States, in respect to fugitives from service are to be carried into faithful execution in all the "organized Territories," the same as in the States.

The report entered into a discussion of the principles of the Compromise of 1850, saying:

The principles established by the compromise measures of 1850, so far as they are applicable to territorial organizations, are proposed to be

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[2] The fact that Senator Dodge did not provide for the organization of two territories in his bill discredits the statement of Hadley D. Johnson on that point.

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affirmed and carried into practical operation within the limits of the new Territory.

In the judgment of your Committee, those measures were intended to have a far more comprehensive and enduring effect than the mere adjustment of the difficulties arising out of the recent acquisitions of Mexican territory. They were designed to establish certain great principles, which would not only furnish adequate remedies for existing evils, but, in all time to come, avoid the perils of a similar agitation, by withdrawing the question of slavery from the halls of Congress and the political arena, and committing it to the arbitrament of those who were immediately interested in, and alone responsible for its consequences.

This would not do. The die was cast. The South realized that its opportunity had come, and that it would never come again if permitted to pass by. Senator Calhoun had warned the South that its duty was to "force the issue on the North." This warning was uttered immediately prior to the adoption of the Compromise of 1850, when it was his judgment that the issue should have been forced. It had not been forced at that time to the degree which satisfied the great Senator from South Carolina. He had said: "We are now stronger than we shall be hereafter, politically and morally. Unless we bring on the issue, delay to us will be dangerous indeed." Calhoun had seen the preponderance of population in the free states over that of the slave states reach 3,936,000 in 1850. The South realized in 1854 what this increasing preponderance would eventually accomplish. The old plan of balancing political power in the Senate by admitting together two states, one free and one slave, could not go on forever. California had come in free with no counterbalance for slavery beyond a severe Fugitive-slave law and other minor considerations. Where could the South find territory from which to carve new slave states to offset the free states sure to develop in the Great Northwest? It could not be secured. The South was right—if it ever intended to strike for the repeal of the Missouri Compromise, that stroke must be delivered in connection with the organization of Nebraska Territory. The Compromise of 1850 had not proven satisfactory. The *Richmond Enquirer* said of the recapture of Burns, in Boston, under the Fugitive-slave law: "We rejoice at the recapture of Burns, but a few more such victories and the South is undone." The report of Senator Douglas pleased nobody. The South would have no more of the Compromise of 1850. Senator Dixon, of Kentucky, gave notice, on the 16th of January, that he would move as an amendment to the bill, a provision which would expressly repeal the Missouri Compromise.

The discussion of the bill was to begin on the 23rd of January. But it was certain that it never would be discussed in the form in which it had been reported. Its reception had demonstrated its unpopularity. It was made clear to Senator Douglas that the South would no longer temporize. If he could not act for the South, then the South would act for itself through Senator Dixon or some other Southern Senator. When the bill was called up on the 23rd of January, Senator Douglas reported a substitute for it in the form of the Kansas-Nebraska bill, as

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we know that measure, providing for two territories—Kansas and Nebraska—and which, in Section 14, repealed the Missouri Compromise in the following terms:

Section 14. . . . The Constitution and all laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territories as elsewhere in the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, *which was superseded by the principles of the legislation of 1850, commonly called the compromise measures, and is declared inoperative.*

The substitute bill was satisfactory to the South. Senator Dixon withdrew his amendment. There were minor amendments, the most important of which was adopted on the 15th of February. The clause declaring that the Missouri Compromise was superseded by the Compromise of 1850 was stricken out, and the following words inserted in their place:

Which, being inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislation of 1850, commonly called the compromise measures, is hereby declared inoperative and void, it being the true intent and meaning of this act not to legislate slavery into any territory or state, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States.

The following amendment, by Senator Chase, of Ohio, was rejected:

Under which the people of the Territories through their appropriate representatives, may if they see fit, prohibit the existence of slavery therein.

The bill was finally completed and passed by the Senate at five o'clock in the morning of the 4th of March, but the session was that of the 3d of March.

In the meantime the House bill had run the usual course of legislative procedure. Mr. Richardson, its author, from Illinois, was a warm friend of Senator Douglas. There is no doubt but that he waited on the struggle in the Senate. On the 31st of January he reported his bill. It was referred to the Committee of the Whole, and no farther action was had on it until the 8th of May, when it was taken up and considered to the exclusion of other business. The Senate bill was offered as a substitute, and the matter was debated until the 22nd. On that day Mr. Stephens, of Georgia, moved that the enacting clause be stricken out. This motion prevailed. The Committee then arose and reported its action, which the House refused to sustain. Then Mr. Richardson moved as an amendment that all after the enacting clause be stricken out, and that the Senate bill be substituted in lieu thereof. On this motion he demanded the previous question. The motion prevailed. The bill was then engrossed, read the third time, and passed, at eleven o'clock, P. M. The vote was 113 to

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100.[3] The bill, while that of the Senate, had passed the House as an original bill, and had to be considered again by the Senate. It came up in the Senate on the 25th of May, and passed on the session of that day, but the vote was had at 1:15 A. M., May 26. It was signed by President Pierce on the 30th day of May, 1854.

The question as to the real author of the Missouri Compromise has been asked for more than half a century. Senator Douglas certainly was *not* the author of that measure. There is no evidence—at least no sufficient evidence—that he had considered the matter of the Repeal before the meeting of the 33d Congress. His management of the bill clearly shows that he was averse to the absolute Repeal until after the 4th of January, 1854. He wished to temporize, to take refuge in hazy and obscure phraseology capable of one interpretation in the North and another interpretation in the South. He sought until the very last to shift the responsibility to the Compromise of 1850.

The South—the slave power of the South—always hoped to repeal the Missouri Compromise. In that purpose it never wavered. Calhoun made every effort to render it impotent. It became the settled policy of the South to prevent the organization of territories in the country covered by the Compromise. It also became the policy of the South to insist on the rights of slavery in that country, to secure those rights if it could, but if finally excluded, to dissolve the Union.

The repeal of the Missouri Compromise, as that Repeal was effected, resulted from the attitude of the South as applied to the political conditions in Missouri for the ten years prior to 1854. These conditions came to involve the organization of Nebraska Territory. In the latter stages, Nebraska Territory became the paramount consideration, everything else being concentrated in it. With the struggle in Missouri we have dealt at length. That Senator Atchison, as the representative of the radical element of the Missouri Democracy, forced the Repeal through Congress, there is little doubt. In fact, there is overwhelming evidence that he did do that very thing. That he was in position to do this is shown by the speech of Hon. Francis P. Blair, of Missouri, a quotation from which is made by Mr. Ray in his *Repeal of the Missouri Compromise*, and which is here reproduced:

> Mr. Douglas has the credit of having originated this scheme of breaking compacts, fraught with such fatal tendencies. He does not deserve this precedence. It will be remembered that at the last session of Congress, Mr. Atchison broached the idea of dissolving the Missouri Compromise, in connection with the then pending Nebraska bill. Mr. Calhoun's Southern unit contrived to get Mr. Atchison made President *pro tem* of the Senate. From that hour he became the tool of the Nullifiers, and when Mr. Calhoun died, he left his swaggering and sometimes staggering President *pro tem* to the care of Messrs. Mason, Hunter and Butler, who were his factotums at the close of his life, and may be considered the executors of his estate of Nullification.

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[3] See Wilder's *Annals*, Edition of 1886, pages 43 and 44, for analysis of the vote.

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The first (Mr. Mason of Virginia), you all remember, was called upon by Mr. Calhoun to be his mouth piece, and read the last drivellings of his doctrines of disunion, while he sat by, the glare of phrensy in his eyes, unable to stand or speak, evincing "the ruling passion strong in death" which was to ruin what he was not permitted to control. He was the fanatic and martyr of ambition. Peace to his spirit! May it have better repose than he has left to his country! The next man in the trio in the confidence of Mr. Calhoun was Mr. Hunter of Virginia. He was withdrawn from his party, like Mr. Atchison, by the tactics of Mr. Calhoun, who had him elected to the Speakership of the House of Representatives, soon after entering it, by a coalition of the Whigs and Nullifiers, Mr. Calhoun putting him forward in preference to his devoted friends, Dixon H. Lewis and Mr. Pickens of South Carolina, either of whom was more acceptable to the Democracy of the House; but Mr. Calhoun gloried in putting down the will of the majority of the Democracy in the person of Mr. Hunter, and it is but justice to the latter to say that he followed his patron, rather than his party, during his life, and that his spirit of hostility to the compacts which bind the Union together survives in him. The third man of the junto to whom Mr. Atchison was committed is Mr. Butler, of South Carolina, Mr. Calhoun's successor, who bears in his look the fiery temper of the furious Nullifier, but has certainly, with more heat, less of the dangerous factious feeling which lies at the bottom of the designs of his colder, calculating companions.

Mr. Atchison has ever since, and I believe before the death of Mr. Calhoun, been decidedly domiciled with these men; they have one household, I am told, and make a little knot and lump of leaven, that works up the whole batch that belongs to the Southern institution, when occasion requires. This is the brotherhood which brought the Southern delegation to unite in a mass, many most unwillingly, to give adhesion to the plot to make the united vote of the South the reward for that treachery among the Northern aspirants which would sacrifice the solemn compact that had guaranteed the peace of the country in fixing the limit of that threatening subject to the country, by having agreed boundaries and conditions assigned in compromises, in concessions on the part of both sections of the nation it provoked to strife. . . . This dangerous measure has from first to last been managed by the nullifiers, with all the adroitness taught in the school of their Machiavel. The bill originating with Atchison and the club of Nullifiers who chamber with him, has been at every stage in the hands of the Southern Senators, by means of a caucus or nightly convention held by them with Northern Doughfaces brought over by the lust of plunder and the temptation of getting the vote of the South as a unit in the next Presidential convention.

We have the avowal of Mr. Atchison himself that he was the author of the Repeal. True, he was "in liquor at the time," but often secrets were told only when men were "in their cups." Mr. Ray quotes a letter published in the *New York Tribune,* which is here given:

ST. LOUIS, MONDAY, MAY 28, 1855.

Among all the letters in the *Tribune* from Kansas and its neighborhood, I do not recollect anywhere to have seen the true reason stated why the *Parkville Luminary* was destroyed and its proprietors presented with the alternative of flight or violence. Let me briefly disclose it. One warm day last summer a large crowd had assembled at the town site of Atchison in Kansas to attend a sale of lots. "Dave" himself was there, and as there was much whiskey and many friends, he got "glorious" a little earlier in the day than usual. So with much spitting on

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his shirt and making himself more nasty than common the Vice-President delivered himself something after this wise:

"Gentlemen, you made a d—d fuss about Douglas, but Douglas don't deserve the credit of this Nebraska bill. I told Douglas to introduce it. I originated it. I got Pierce committed to it, and all the glory belongs to me. All the South went for it, all to a man but Bell and Houston, and who are they? Mere nobodies, no influence, nobody cares for them."

It happened that a young man from Parkville was present, a friend of Atchison, by the way. When he came home he was sounding Atchison's praises and repeating what he had said. Patterson of the *Luminary* got him to write down the exact words of the Vice-President, and the next number contained a verbatim report of portions of his conversation. By this time some of Dave's friends were sober, if he was not. There was trouble in the camp. The Platte *Argus*, the Atchison organ, came out with a flat denial of the language. The Parkville young man replied over his own initials, that he had heard and reported the words exactly as they were published, and whoever should deny them was a liar, intimating his readiness to maintain the same against all comers. Meantime a chivalrous nephew of John Bell residing in St. Louis had seen the report of Atchison's language in the *Luminary*, and had written him requiring a categorical answer to the question whether he had used the language imputed to him concerning his uncle. The tone of the letter was strongly suggestive of "the usual satisfaction." Dave evidently thought his three hundred pounds of flesh too good a mark for a pistol ball, and he accordingly replied to the nephew that he had the most distinguished consideration for his uncle and never said such a word about him, if he had said anything that the lying scoundrels had tortured into what they published, he begged that it might be passed by, as he was *"in liquor at the time."* And thus the Vice-President escaped the vexation of personal responsibility for his language. Drunkenness is not usually regarded as a valid plea for a lawyer to make in behalf of a client, but it seems very good for a Vice-President.

But the mischief was done, notwithstanding. Douglas looked glum about his stolen thunder. Bell and Houston were not disposed to any special affability toward the President of the Senate. So he sent his resignation and stayed away two or three weeks after the meeting of Congress. Judge with what bitter hatred he regarded the *Luminary*, and when he could sway the mob power, how eagerly he employed it to wreak his private vengeance. Veritas.

So the Kansas-Nebraska bill was the work of David R. Atchison, a Missourian of Kentucky birth. His connection with Kansas did not cease with the enactment of the bill. He tried for some years to force slavery into Kansas, but ingloriously failed. On the Kansas prairies he met many a follower of Senator Benton—many a Missourian who had come to Kansas to live in a free state—who fought other Missourians to make Kansas free.

It has long been the judgment of this author that Judge William C. Price, a Missourian of Virginia birth, originated the movement in Missouri which resulted in the Repeal of the Missouri Compromise. The idea of the Repeal was, no doubt, original with him—that is, the Repeal at the time it came. When Mr. Ray was writing his excellent book he wrote me for anything I could furnish him on the subject of the Repeal. I wrote him as follows, as shown at pages 247 and following of his work:

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Judge Price always maintained that the idea of the Repeal originated with him. He claimed that he pressed this idea on the South, saying that Missouri could not remain slave with Iowa free on the north, Illinois free on the east, and a free State on the west. In short, Missouri had to accomplish that Repeal or become a free State. That was what Judge Price preached for twenty years before the war. And the South allowed Missouri to have her way. . . .

The Repeal was discussed in a gathering of extreme Democrats in New Orleans as early as 1850. Judge Price attended this gathering, as he has often told me. I have the names of others in attendance, but my papers are so much in disorder that I have been unable to find the

JUDGE WILLIAM C. PRICE

[From Portrait Owned by William E. Connelley]

memorandum. I remember that Jefferson Davis was at that meeting; Judge Price often related to me the feeling speech he made there. I remember that J. P. Benjamin and Toombs were there. And a Mr. Smith, I think a minister of the Gospel, either then or afterwards a Member of Congress from Virginia, was there. . . . Without my papers I would not say that this meeting was in 1850, but I am sure it was as early as that. . . .

The idea, the intention, of the Repeal had been discussed secretly in every gathering of pro-slavery men in Missouri for ten years. Benton repudiated the idea in Springfield, Mo., in 1844, so Judge Price informed me. And from that day the radical slave faction of the Missouri Democracy fought him to the death. Judge Price and other radical Southern leaders saw at that time that a conflict was inevitable; they were secessionists *per se*. Judge Price was the man selected to lead the fight in

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Missouri for the use of a part of the Indian country which was north of the old Compromise line for Slavery. In this capacity he made known to Benton the conclusion of the radical slave faction. Price and Benton had been warm friends to this time. They never spoke afterwards. Price registered a vow to drive Benton from public life and accomplished it. . . . In presence of a large company gathered in a store on St. Louis street, in Springfield, Mo., he vowed he would fight Benton to the death. To make it more open and public he wrote his determination on the walls of the store, where it remained until the building was torn down after the Civil War. So said Judge Price to me many times.

Judge Price was the head of the pro-slavery extremists of the South. He was in close and constant communication with Jefferson Davis, Robert Toombs, John C. Calhoun, John C. Breckenridge, Judah P. Benjamin, and other Southern leaders, for many years prior to the Civil War. These men looked to him to inaugurate and carry out the measures in Missouri supposed to be for the benefit of the aggressive policy of the extremists of the slave power. No better selection was ever made. He believed in the righteousness of slavery. And when enlisted in a cause he knew no such word as fail. He would not sacrifice the thousandth part of the most insignificant principle for any advantage which might be offered him. Compromise was repugnant to him. He would always drive straight ahead to the end in the way marked out, let the consequences be what they might.

The aggressive leaders of the slave power became dissatisfied with the course of Senator Benton of Missouri. They marked him for defeat. While Benton had spent the greater part of his active life in Washington and away from the people of Missouri, he was still, in 1844, supreme in Missouri. While it is true that a new generation had sprung up in Missouri who knew not Benton, it is also true that the older generation stood by Benton, and by their aid he dictated the political policy of the State. It was supposed to be political death for any man to even whisper a breath against "Old Bullion," the idol of Missouri. . . .

Judge Price was never a rash man. He had a cool head and a pulse even and regular under every trial. He knew what his declaration meant. Benton was a born leader, and in manner much like Judge Price. He was intolerant, often dictatorial and unjust. The declaration of hostilities by Price was accepted by Benton and the political battle royal of Missouri politics began, and the first in the fight for the Repeal, though the issue was veiled. Neither side urged the real issue between them. Price hoped that with the defeat of Benton events would naturally shape themselves as the Southern leaders desired. Benton hoped that with his victory extreme agitation by the Southern leaders would disappear. So this fight was not made on the issues really the cause of it, Judge Price often said.

Price was away from home for months at a time for the six years following 1844. There were no railroads in Missouri and travel was by horseback. He visited every part of the State time and again. He selected Judge Geyer of St. Louis as the man to defeat Benton. When Benton returned to Missouri in 1850 he found himself actually beaten and turned down. The first battle of the aggressive and rabid extremists of the slave power was thus fought out in Missouri and was a victory for them.

I asked Judge Price concerning the opening of Kansas to settlement. He said:

"We were opposed to the opening of any part of the territory of Old Missouri Territory to settlement, and for many reasons. It had

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been set aside as the Indian Country. The Government had removed the Eastern Indian tribes to that country and covenanted with them that they should never be molested in their new home. And this was done with a purpose, for if slavery could not go there we wanted no one there except the Indians. And there was no necessity for such settlement; millions of acres of better land were open to settlement in Missouri, Arkansas, Louisiana, Mississippi, Alabama, and Texas.

"To establish Territories in that country would, we knew, bring up the subject of slavery, and its admission or exclusion. We were excluded by the Compromise, but Southern men hoped in some way to bring about the repeal of that measure in some peaceful manner. Their most cherished hope for many years was to look upon the old manner of retaining the influence of Slave-State and Free-State at a balance in the Union by the admission one slave State and one free State when the time for the admission of any part of that domain was demanded by the economic conditions of the country. In the meantime we hoped to make four States of Texas, and to have slavery established in the country obtained from Spain and Mexico.

"Many things transpired which we could not foresee. The discovery of gold in California was one of these. Then, as I said, it was necessary to defeat Benton in Missouri. The effects of this defeat were bad. He was ambitious, though old. He should, according to our calculations, have retired when he was defeated. But he immediately espoused the cause of Nebraska Territory. There were two causes for this. He knew we were opposed to it and he knew that the slave power was not prepared to enter upon a struggle for its very existence. He wished to precipitate things. And, he saw he could never regain his seat in the Senate from Missouri. He had become interested in Fremont's explorations of the West.

"Benton was a man of ability and wonderful foresight. He predicted that a great city would one day be built at the mouth of the Kansas River. He intended to move there and live in the new Territory and eventually be one of its first United States Senators when it was admitted as a State, as he had been one of the first of Missouri's Senators. At my suggestion Atchison accused him of this intention, and denounced him for it in a speech, delivered I think in Liberty.

"One of the things which proved bad for us was the removal of the Wyandotts to the mouth of the Kansas River. It was the intention that they should settle there. They were to have a large tract of land in Southern Kansas (what is now Southern Kansas). No one supposed they would buy land of another tribe; such a thing had not been thought of. When they bought land of the Delawares and obtained control of the mouth of the Kansas River we were fearful that it was not for our best interest; there were too many white men in the tribe. Then the tribe came recently from Ohio where there was much opposition to slavery, and where existed the most successful underground railroad for conveying slaves to Canada. Then again, this tribe had but just settled at the mouth of the Kansas River when the division of the Methodist Church into Northern and Southern parts caused almost a war between the factions of the tribe. The portion of the tribe which wished to remain with the Old Church cried out against slavery, and the question was kept in constant agitation where we most desired nothing said. When it was supposed that Nebraska Territory would be organized we were often solicited by the faction in favor of the Church, South, to take a hand, but we were averse to doing that and hoped the question would quiet down. However, it did not do so. Benton, Blair, Brown, even Phelps, encouraged its agitation. The moving spirits in the cause

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of the Church, North, and in condemning slavery, were J. M. Armstrong and Abelard Guthrie. Guthrie remained in Washington much of the time, as we believed then, at Benton's expense. At any rate, it was known that he and Benton were much together; we had no doubt they acted in concert.[4]

[4] This statement is published in the *Repeal of the Missouri Compromise* by P. Orman Ray, Ph. D., Professor of History and Political Science, The Pennsylvania State College. The quotations found in this chapter are taken from Professor Ray's book. It is the best authority on the Repeal of the Missouri Compromise. It is exhaustive, and is very carefully prepared. Much of the material for this chapter, aside from the quotations, was drawn from his work.

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CHAPTER XVI

KANSAS TERRITORY

The Kansas-Nebraska bill was approved by President Pierce, May 30, 1854.

Kansas Territory had its inception in the old idea of admitting two states at the same time—one a free state and the other a slave state—in order that the political balance should be maintained in the United States Senate. But for this idea, there would have been only Nebraska Territory organized west of the States of Missouri and Iowa. Kansas Territory might have been later organized from a portion of the greater territory so established. The plan to set up the two territories rather than one was evidently worked out by Senators Atchison and Douglas.

There is no record to show who brought forward the name *Kansas* for the new territory. There is little doubt, however, that Senator Douglas left this matter to Atchison. The new territory was watered principally by the Kansas River. That fact, it is reasonable to believe, suggested *Kansas* as the most fitting and appropriate name for Kansas Territory. It was in accordance with the name for the Northern territory which had always been called Nebraska, for the Nebraska or Platte River.

The evidence that the slave power expected to have Kansas come into the Union a slave state, and Nebraska a free state, developed later, when the effort to force slavery into Kansas was made. At a meeting held at Independence, Missouri, this sentiment was embodied in a series of resolutions, one of which is inserted here.

Resolved, That we, without distinction of party, desire to act in accordance with what is right and due, not only to interests of the South, but likewise to interests of the North, and though knowing that the North, through certain fanatics, has endeavored to dictate to the South, we yet wish to meet them as brothers and friends, and only ask our rights as compromise, viz.:

That we, the South, be permitted peaceably to possess Kansas, while the North, on same privilege, be permitted to possess Nebraska Territory.

Many expressions embodying the same sentiments are to be found in the public prints of Missouri immediately following the passage of the Kansas-Nebraska bill.

That portion of the Kansas-Nebraska bill erecting Kansas Territory, began with Section 19 and ended with Section 37. The Territory was bounded as follows:

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Beginning at a point on the western boundary of the State of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence west on said parallel to the eastern boundary of New Mexico; thence north on said boundary to latitude thirty-eight; thence following said boundary westward to the east boundary of the Territory of Utah, on the summit of the Rocky Mountains; thence northward on said summit to the fortieth parallel of latitude; thence east on said parallel to the western boundary of the State of Missouri; thence south with the western boundary of said State, to the place of beginning.

After defining the boundaries of the new territory it was enacted as follows: "And the same is hereby created into a temporary government by the name of the Territory of Kansas, and when admitted as a State or States, the said Territory, or any portion of the same, shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission."

The enabling act provided for a Governor and various other officers, to be appointed by the President of the United States. The Governor was to hold his office for a term of four years, unless sooner removed by the President. It was required that he should reside within the territory. The legislative power was composed of the Governor, and the Legislative Assembly—a Council and a House of Representatives. The Council was to consist of thirteen members having the qualifications of voters. The number of members of the Assembly might be increased with the increase of the population of the Territory. The Governor was required to take a census of the inhabitants and qualified voters of the Territory before calling any election therein. The election for members of the Council and House of Representatives was to be called by the Governor, who was to declare in his proclamation the number of members of the Council and of the House each district was entitled to. The Governor was to pass on the returns and make the declaration as to who was elected. His basis for such declaration was embraced in the phrase, "the person having received the highest number of legal votes." If a tie should result in any case, a new election was to be called. The Governor was to select the time and place for the first meeting of the Legislative Assembly, the term of which was limited to forty days in any one year, except the first session, when a term of sixty days was permitted. The qualifications for voters were as follows:

Every free white male inhabitant above the age of twenty-one years, who shall be an actual resident of said Territory, and the qualifications hereinafter prescribed, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and for holding office at all subsequent elections shall be such as shall be prescribed by the Legislative Assembly; *Provided,* that the right of suffrage and of holding office shall be exercised only by citizens of the United States and those who have declared, on oath, their intention to become such, and shall have taken an oath to support the Constitution of the United States and the provisions of this act; *And provided further,* that no officer, soldier, seaman or marine, or others attached to troops in the service of the United States, shall be allowed to vote or hold office in said Territory by reason of being on service therein.

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If it had been the desire of Congress to formulate a provision which would prove vexatious and troublesome to the inhabitants of Kansas Territory, no better paragraph could have been drawn.

The Judicial power of the Territory was vested in a Supreme Court, District Courts, Probate Courts and Justices of the Peace. The Supreme Court was to consist of a Chief Justice and two Associate Justices. They were to hold their offices four years, and they were required to hold, at the seat of Government, a term of court each year.

The Fugitive Slave law of 1850 was declared to be in full force in Kansas Territory.

It was provided that there should be appointed an Attorney for the Territory, and the appointment of a Marshal was also authorized. They were to serve terms of four years, but they could be removed by the President at any time.

The temporary seat of government was located at Ft. Leavenworth, and it was ordered that such public buildings there as were not in actual use and not required for military purposes might be occupied by the Territorial officers by direction of the Governor and Legislative Assembly.

A Delegate to the House of Representatives of the United States was to be elected. It was not necessary that he should be a resident of Kansas Territory; the only qualification appearing in the act being as follows: "Who shall be a citizen of the United States."

In Section 32 was found the Repeal of the Missouri Compromise in the language already shown in a previous chapter. The final section provided that all treaties, laws, and other engagements with the Indian tribes in the Territory, should remain in full force and be rigidly observed.

These sections comprised the enabling act—the fundamental law of Kansas Territory. They were to the Territory what a constitution is to a State. And they had been formulated with the design of giving slavery every advantage.

The white population of Kansas Territory consisted, first, of some seven hundred soldiers of the United States, who were not voters, as they were not legal residents of the territory. They were expressly disqualified for suffrage in the enabling act.

Soldiers were found at Fort Leavenworth, where there were two companies, consisting of thirteen officers and one hundred and fifty-eight men. There were also at that fort about seventy servants and members of the families of officers. Fort Riley was then in the course of construction. At that post there were four companies, consisting of sixteen officers and two hundred and twenty-eight men. There was one company, consisting of two officers and seventy-five men, at Walnut Creek, on the Upper Arkansas.

White settlers were found at Council Grove, where there were six trading establishments, with two blacksmith shops, and the Kansas Indian Mission. It is estimated that there were altogether thirty white people at Council Grove.

Isaac Munday lived at the Delaware Crossing—where the military

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road between Fort Leavenworth and Fort Scott crossed the Kansas River. At that point there was a post office. Munday was the blacksmith for the Delaware Indians, and there were some ten or twelve white people around him.

Attached to the Missions of the various churches among the Indian tribes were numerous white people, as there were at the trading posts. In the Wyandot Nation, in what is now Wyandotte County, there were a number of white men and women. Some of these were members of the tribe, and probably not citizens of the Territory under a strict construction of the law. They numbered about fifty persons. In the Shawnee reservation there was the Shawnee Mission of the M. E. Church, South, the Shawnee Baptist Mission and Labor School, and the Quaker Shawnee Labor School. There were possibly forty-five white people connected with these institutions. There were Catholic Missions among the Pottawatomies and the Osages. About these missions were some forty white persons. At the missions of the Iowa and Sac and Fox Indians in Doniphan County, and at the Indian Agency near, it is supposed there were forty or fifty white residents. The trading point of most importance was at Uniontown on the Kansas River. This was in the west line of what is now Shawnee County. Many of the Indians were paid their annuities there, and in 1854 there were probably twelve families living in that vicinity. There were other white people in the Territory, some of whom lived at Fort Scott. There was a trading post on the Grasshopper and one on the Blue. At both of these there were white families. At posts on the Oregon Trail whites were to be found who were in the service of stage lines and freighting companies. This is true also of the Santa Fe Trail. There were always to be found in every Indian community some white men. All the white residents of the Territory, when the act for its erection was signed, numbered less than fifteen hundred, counting the military. Whether any of these whites were legally inhabitants of Kansas Territory at the time of its establishment, depended upon their attitude and intentions. If they decided to remain and become citizens of the Territory, they would be entitled to vote. If it was their intentions to return to some point in the states, they were not to be counted as citizens.

In 1853, when it was apparent that the country west of Missouri would be given some form of territorial government, it was decided that the Indian titles to the lands in that country must be extinguished. The Commissioner of Indian affairs, George W. Manypenny, was sent out to induce the Indians to enter into treaties surrendering their lands to the United States. In 1854 treaties were made with most of the tribes whose reservations adjoined the State of Missouri. The treaties were concluded at Washington, to which city the chiefs and principal men of the various tribes had been summoned. Knowledge of the terms of these treaties was withheld for a time from the general public, and it was charged that this was done in the interest of the people living along the western border of Missouri, and who were supposed to favor the institution of slavery.

The Missouri counties adjoining the east border of Kansas Territory contained a population of about eighty thousand whites, as shown by the

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Census of 1850. They owned some twelve thousand slaves. The population of the entire State of Missouri was composed of five hundred and ninety-two thousand whites, eighty-seven thousand slaves, and twenty-six hundred free negroes. The western counties were the most populous counties of the State. With the exception of those employed in the freighting and stage service over the Oregon and Santa Fe Trails, the population of Missouri was composed largely of farmers and small tradesmen. They were principally of Southern ancestry. Kentucky and Tennessee had furnished the greater number of the pioneer settlers, and emigration from those states to Missouri always exceeded that from any other section of the Union. Their forefathers had conquered the wilderness west of Virginia and North Carolina. These first settlers of Missouri understood perfectly the processes of subduing a new country, and of developing a civilization therein. By experience, inherited traits, and characteristics, and by proximity to the uninhabited lands, the people of Missouri were better fitted for the settlement of this new country than were the people of any other portion of the United States. Next to these in suitability for pioneers for Kansas Territory, were the people of Ohio, West Virginia, Indiana, Illinois, Iowa, and the western portion of Pennsylvania. All these people understood the manner in which a new country would have to be settled and developed. They were self-reliant and could secure a cabin of logs and plant such crops as were suitable to a new country. They were skilled in the arts of home-manufacture. In the homes of Western Missouri at that time, were to be found the spinning wheel, the hand cards for cotton and wool, the warping-bars and the loom. Many households manufactured their own shoes as well as their cloth.

A point which has been overlooked by the historians of both Missouri and Kansas, is this; in Missouri there was a large element utterly opposed to slavery. The same is true of the states of Kentucky and Tennessee, at that time. Missourians moved into Kansas Territory in greater numbers than did people from any other state, and a large portion of those Missourians were in favor of making Kansas a free state. It should be remembered in reading the following pages that the majority of the Missourians who made so much trouble in Kansas were not those who had taken up a permanent residence in the Territory.

The Missourians who became the Border-Ruffians were the followers of Senator Atchison. No justification of their course can ever be made. In opposing the organization of Nebraska Territory, Senator Atchison often addressed the people of Platte County and other counties in Western Missouri. In a speech which he made early in 1853, from a dry-goods box, in the City of Weston, he defined his position on Nebraska Territory as connected with slavery.

He would oppose the admission of Nebraska into the Union as a Free State with the last drop of his blood; he would oppose the Missouri Compromise to his last breath; he would have that odious Missouri Compromise repealed, which made men either give up their negroes, or give to ——— Northern cattle the finest farms in Nebraska. Ameri-

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can citizens should be privileged to go where they pleased and carry their property with them, whether that property was furniture, mules or niggers. On that question, when it should come up, he pledged himself to be faithful; that the Missouri Compromise should be repealed. What will you do if the Missouri Compromise is not repealed? Will you sit down here at home, and permit *the nigger thieves, the cattle,* the vermin of the North to come into Nebraska and take up those fertile prairies, run off your negroes and depreciate the value of your slaves here? I know you well; I know what you will do; you know how to protect your own interests; your own rifles will free you from such neighbors and secure your property. You will go in there if necessary with bayonets and with blood. But we will repeal the Compromise. I would sooner see the whole of Nebraska in the bottom of hell than see it a Free State.

This was the language which made Border-Ruffians. Senator Atchison continued his rabid harangues after the organization of Kansas Territory in his efforts to have slavery prevail. His utterances on this subject were always of this same nature. His followers were often instigated by his inflammatory speeches to perpetuate outrages on the citizens of Kansas. They especially delighted to vent their wrath on any former citizen of Missouri favoring a free state whom they found living in Kansas.

In proof of what is here said concerning the Missouri people and their sentiments toward slavery, it is only necessary to remember that the followers of Benton were almost unanimously opposed to slavery. His faction of the democracy diminished in power and numbers with his successive defeats, it is true, but a great body of that faction remained loyal to the Union and opposed slavery. They became the rallying point for the supporters of the Federal Union. Among them were Hon. Frank P. Blair, who organized the forces at St. Louis in favor of the Union, and, with General Lyon, did save Missouri to the United States. In support of this position it may be said also that not more than 45,000 Missourians ever enlisted in the Confederate Army, while more than 200,000 were enrolled in the army of the United States. Most of these were militia, but in the matter of enlisted volunteers there were more Union than Confederate soldiers.

Additional proof of the conditions existing in Missouri in 1854 is shown in the following extract from a letter written by the leader of the pioneer party sent out by the Emigrant Aid Company. It was dated, St. Louis, Steamer "Polar Star," July 24, 1854:

Nowhere has the Party been more kindly received than in St. Louis. We are visited daily by intelligent citizens, who express a warm interest in the movement. We are assured that throughout the State the great bulk of the honest inhabitants desire just such a neighbor State as an encouraged emigration from the respectable inhabitants of the North would make of Kansas. The Jackson and Platte County resolutions are denounced in the strongest terms, and you will see that already the back track is taken, and that some of the papers in that section of the State are endeavoring to put a very harmless construction upon them, and one altogether different from the obvious meaning. We are told that at another meeting, held in one of the border counties quite recently, similar resolutions against Northern emigration were voted down, eight

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to one. We apprehend no trouble. Popular sentiment has been too decidedly manifested against the fanaticism of the late Jackson County meeting.[1]

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[1] The letter will be found at page 22, of *Organization Objects, and Plan of Operation of the Emigrant Aid Company.* Third edition, Boston, 1854. It is signed "Charlestown," and was probably written by Charles H. Branscomb, an agent of the Company.

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CHAPTER XVII

FORMING THE BATTLE-LINES

The debates in Congress on the Kansas-Nebraska bill stirred the country. Its enactment caused enthusiasm in the South and indignation in the North, but neither the North nor the South was unanimous in its attitude toward the bill. There was an anti-slavery element in the South. In addition, some slaveholders there were not in favor of the aggressive policy of the slave power. They were opposed to the repeal of the Missouri Compromise. But it was impossible for them to assert themselves in any effective manner against the radical pro-slavery coalition, which had seized upon the Democratic party as a means of accomplishing its purpose. The Alleghany Mountain system projects itself into the South from Pennsylvania and Ohio to Central Georgia. Its whole range was inhabited by a people animated by the love of liberty. As a body these people were opposed to slavery. They owned a few slaves. They never faltered in their allegiance to the Federal Union.

In the North there was an element subservient to the slave power. It maintained close political relations with the slave propagandists. For the South, as a whole, loved slavery more than public office. It selected Northern men as its candidates for President of the United States, caring nothing about who held that great office so long as it could control the policy of the Government.

Generally, the North was deeply offended by the repeal of the Missouri Compromise, and the South was filled with joy. In the Northern states there were meetings to protest against the repeal of the Missouri Compromise, and in some localities this resentment engrossed the attention of the people to the exclusion of ordinary affairs. It attained its greatest volume in New England. It was clear that the people there would not accept the Repeal without serious opposition. The people of the North had followed closely every step in the process of the enactment of the Kansas-Nebraska bill. By the terms of the bill, the great Northwest lay open to slavery. To prevent the South from reaping the full benefit of its victory, there was no assistance in any appeal to the law-making body of the land. It was necessary that this appeal should be made to public sentiment. An appeal to the moral sense of the people is rarely made in vain.

There are always and everywhere persons anxious to enter any contest as leaders. By hasty and ill-advised actions they often bring mat-

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ters to a deplorable issue. The theory of organized emigration was not a new one. America had been peopled to some extent by such emigration. Many plans to colonize various parts of the world had been discussed in the United States before the repeal of the Missouri Compromise.

At a meeting held in the City Hall, Worcester, Massachusetts, on the 11th of March, 1854, more than two months before the passage of the Kansas-Nebraska bill, Eli Thayer proposed to fill up Kansas with free men—"with men who hated slavery and who would drive the hideous thing from the broad and beautiful plains where they were going to raise free homes." Thayer was serving his second term as a Representative from Worcester, in the Legislature of Massachusetts. He was a visionary man given to the evolution of fantastic schemes by which to accumulate money.[1] He struck upon the plan of connecting the anti-slavery sentiment of the North with a speculative enterprise to be carried out in Kansas. He says: "I pondered upon it by day and dreamed on it by night. By what plan could this great problem be solved? What force could be effectively opposed to the power which seemed to be about to spread itself over the Continent? Suddenly it came upon me like a revelation. It was *organized and assisted emigration.*"[2]

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[1] About this time Mr. Thayer was in some manner interested in a business in Kentucky. It was a factory erected for the purpose of extracting oil, called coal oil, from bituminous coal, designed to be used in lamps for lighting purposes. Later Mr. Thayer was a member, the leading spirit, in a colonization scheme at the mouth of the Big Sandy River. The land was in the fork of the Ohio and Big Sandy rivers. There a town was laid out and named Kenova,—composed of syllables from the names of each of the states of Kentucky, Ohio, and Virginia. This Virginia scheme was probably the second one to be established in his great plan to build a cordon of free states across the South. Just what Mr. Thayer realized out of this venture is not known. John Brown was condemned for attempting to establish anti-slavery communities along the Allegheny Mountain Range, south from Harper's Ferry. These different plans were designed to accomplish the same purpose. Thayer made money by his. John Brown made none and lost his life. As designs for settling the slavery question, one was no more hare-brained than the other.

[2] Situated as Kansas was, slavery never had the ghost of a show to impose itself on her institutions. She lay north of the accepted bounds of slavery. People migrate principally along climatic lines. Kansas was much more accessible from that country north of the Ohio River, and its line extended westward, than it was from the South. The farmer of the North was not encumbered with human chattels. He owned a farm, if a landowner at all, usually not to exceed one hundred and sixty acres, and not a plantation. He could close his affairs and move to a new country much more easily than could a planter encumbered with a cotton plantation and his slaves. Many of these plantations contained several thousand acres each. On them were hundreds of slaves. It requires much time and expense to close up a business of such dimensions and move to a new unsettled country. Every effort to do this, by slaveholders, failed even in Kansas. How could it have been done in Wyoming, or Nevada, or Washington, or Montana?

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Mr. Thayer drew up a charter for the *Massachusetts Emigrant Aid Company* immediately after the Worcester meeting. He presented it to the Massachusetts Legislature, where it was favorably reported, and soon afterwards passed. It was approved by the Governor on the 26th day of April. On the 4th of May at a meeting in the State House at Boston, a committee was appointed to report a plan of operation. Mr. Thayer was the first member of the committee, and another member was Edward Everett Hale, then and long afterwards classed as a member of that hermaphroditic aggregation known as Dough-faces. The committee made a report on the 12th of May. As this report was made the basis of the future operations of the company, it is here set out.

REPORT

I. The objects of this corporation are apparent in its name. The immense emigration to America from Europe introduces into our ports a very large number of persons eager to pass westward. The fertility of our Western regions, and the cheapness of the public lands, induce many of the native-born citizens of the old State also to emigrate thither. At the present time, public and social considerations of the gravest character render it desirable to settle the territories west of Missouri and Iowa; and these considerations are largely increasing the amount of Westward emigration.

The foreign arrivals in America last year were 400,777. In the same year, the emigration to the Western States, of Americans and foreigners, must have amounted to much more than 200,000 persons. The emigration thither this year will be larger still. And from the older Western States large numbers are removing into new territory.

Persons who are familiar with the course of the movement of this large annual throng of emigrants know that, under the arrangements now existing, they suffer at every turn. The frauds practiced on them by "runners," and other agents of transporting lines in the State of New York, amount to a stupendous system of knavery, which has not been broken up even by the patient labor of the State officers, and by very stringent legislation. The complete ignorance as to our customs in which the foreign emigrant finds himself, and, in more than half the foreign emigration, his complete ignorance of our language, subject him to every fraud, and to constant accident. It is in the face of every conceivable inconvenience that the country receives every year 400,000 foreigners into its seaports, and sends the larger portion of them to its Western country.

The inconveniences and dangers to health to which the pioneer is subject who goes out alone or with his family only, in making a new settlement, are familiar to every American.

The Emigrant Aid Company has been incorporated to protect emigrants, as far as may be, from such inconveniences. Its duty is *to organize emigration to the West and bring it into a system.* This duty, which should have been attempted long ago, is particularly essential now, in the critical position of the Western Territories.

The Legislature has granted a charter, with a capital sufficient for these purposes. This capital is not to exceed $5,000,000. In no single year are assessments to a larger amount than 10 per cent to be called for. The corporators believe that if the company be organized at once, as soon as the subscription of the stock amounts to $1,000,000, the annual income to be derived from that amount, and the subsequent subscriptions may be

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so appropriated as to render most essential service to the emigrant, to plant a free State in Kansas, to the lasting advantage of the country, and to return a very handsome profit to stockholders upon their investment.

(1) The emigrant suffers whenever he goes alone into his new home. He suffers from the fraud of others; from his own ignorance of the system of travel, and of the country where he settles; and, again, from his want of support from neighbors, which results in the impossibility of any combined assistance, or of any division of labor.

The Emigrant Aid Company will relieve him from all such embarrassments, by sending out emigrants in companies, and establishing them in considerable numbers. They will locate these where they please on arrival in their new home, and receive from government their titles. The company propose to carry them to their homes more cheaply than they could otherwise go; to enable them to establish themselves with the least inconvenience, and to provide the most important prime necessities of a new colony: It will provide shelter and food at the lowest prices, after the arrival of emigrants, while they make the arrangements necessary for their new homes. It will render all the assistance which the information of its agents can give. And, by establishing emigrants in large numbers in the Territories, it will give them the power of using at once those social influences which radiate from the church, the school and the press in the organization and development of a community.

For these purposes, it is recommended, first, that the Directors contract immediately with some one of the competing lines of travel, for the conveyance of 20,000 persons from Massachusetts to that place in the West, which the Directors shall select for their first settlement.

It is believed that passage may be obtained, in so large a contract, at half the price paid by individuals. We recommend that emigrants receive the full advantage of this diminution in price, and that they be forwarded in companies of 200, as they apply at these reduced rates of travel.

(2) It is recommended that, at such points as the Directors select for places of settlement, they shall at once construct a boarding house, or receiving house, in which 300 persons may receive temporary accommodation on their arrival; and that the number of such houses be enlarged as necessity may dictate. The new comers, or their families, may thus be provided for in the necessary interval which elapses while they are making their selection of a location.

(3) It is recommended that the Directors procure and send forward steam saw-mills, grist-mills, and such other machines as shall be of constant service in a new settlement, which cannot, however, be purchased or carried out conveniently by individual settlers. These machines may be leased or run by the company's agents. At the same time, it is desirable that a printing press be sent out, and a weekly newspaper established. This would be the organ of the company's agents; would extend information regarding its settlement, and be, from the very first, an index of that love of freedom and of good morals which it is hoped may characterize the State now to be formed.

(4) It is recommended that the company's agents locate and take up for the company's benefit, the sections in which the boarding-house and mills are located, and no others. And further, that whenever the territory shall be organized as a free State, the directors shall dispose of all its interests there; replace by the sales the money laid out; declare a dividend to the stock-holders, and

(5) That they then select a new field, and make similar arrangements for the settlement and organization of another free State of this Union.

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II. With the advantages attained by such a system of effort, the territory selected as the scene of operations would, it is believed, at once fill up with free inhabitants. There is reason to suppose that several thousand men of New England origin propose to emigrate under the auspices of some such arrangement this very summer. Of the whole emigration from Europe, amounting to some 400,000 persons, there can be no difficulty in inducing 30,000 or 40,000 to take the same direction. Applications from German agents have already been made to members of this company. We have also intimations, in correspondence from the free states of the West, of a widespread desire there, among those who know what it is to settle a new country, to pass on, if such an organization can be made, into that now thrown open. An emigration company of those intending to go has been formed in Worcester County, and others in other States.

In view of the establishment by such agencies of a new free State in that magnificent region, it is unnecessary to dwell in detail on the advantages which this enterprise holds out to the country at large.

It determined in the right way the institutions of the unsettled territories in less time than the discussion of them has required in Congress. It opens to those who are in want in the Eastern States a home and a competence without the suffering hitherto incident to emigration. For the company is the pioneer, and provides, before the settler arrives, the conveniences which he first requires. Such a removal of an overcrowded population is one of the greatest advantages to Eastern cities. Again, the enterprise opens commercial advantages to the commercial States, just in proportion to the population which it creates, of free men who furnish a market to our manufactures and imports. Whether the new line of States shall be Free States or Slave States is a question deeply interesting to those who are to provide the manufactures for their consumption. Especially will it prove an advantage to Massachusetts if she create the new State by her foresight, supply the first necessities to its inhabitants, and open in the outset communications between their homes and her ports and factories.

In return for these advantages, which the company's rapid and simple effort affords to the emigrant and to the country, its stockholders receive that satisfaction, ranked by Lord Bacon among the very highest "of becoming founders of States," and, more than this, States which are prosperous and free. They secure satisfaction by an investment which promises large returns at no distant day.

Under the plan proposed, it will be but two or three years before the company can dispose of its property in the territory first occupied and reimburse. At that time, in a State of 70,000 inhabitants, it will possess several reservations of 640 acres each, on which its boarding-houses and mills stand, and the churches and schoolhouses which is has rendered necessary. From these centers will the settlements of the State have radiated. In other words, these points will then be the large commercial positions of the new States. If there were only one such, its value, after the region should be so far peopled, would make a very large dividend to the company which sold it, besides restoring its original capital, with which to enable it to attempt the same adventure elsewhere.

It is to be remembered that all accounts agree that the region of Kansas is the most desirable part of America now open to the emigrant. It is accessible in five days continuous travel from Boston. Its crops are very bountiful, its soil being well adapted to the staples of Virginia and Kentucky, and especially to the growth of hemp. In its eastern section the woodland and prairie land intermix in proportions very well adapted for the purposes of the settler. Its mineral resources, especially

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its coal, in the central and western parts, are inexhaustible. A steamboat is already plying on the Kansas River, and the Territory has uninterrupted steamboat communication with New Orleans and all the tributaries of the Mississippi River. All the overland emigration to California and Oregon by any of the easier routes passes of necessity through its limits. Whatever roads are built westward must begin in this territory. For it is here that the emigrant leaves the Missouri River. Of late years, the demand for provisions and breadstuffs made by emigrants proceeding to California has given to the inhabitants of the neighboring parts of Missouri a market at as good rates as they could have found in the Union.

It is impossible that such a region should not fill up rapidly. The Massachusetts Emigrant Aid Company proposes to give confidence to settlers by giving system to emigration. By dispelling the fears that Kansas will be a slave State, the company will remove the only bar which now hinders its occupation by free settlers. It is to be hoped that similar companies will be formed in other free States. The enterprise is of that character that, for those who first enter it, the more competition the better.

It is recommended that the first settlement made by the Directors shall receive the name of the city in this commonwealth which shall have subscribed most liberally to the stock of the company in proportion to its last decennial valuation; and that the second settlement be named from the city next in order in so subscribing.

It is recommended that a meeting of the stockholders be called on the first Wednesday in June to organize the company for one year, and that the corporators at this time make a temporary organization, with power to obtain subscriptions to the stock, and make any necessary preliminary arrangements.

ELI THAYER, for the Committee.

When it came to the sale of the stock of the company, it was found that any stockholder would be liable for all the debts it might contract. Under such a contingency the stock was not in demand. It was burdened with too many possibilities of loss to investors. To correct this fundamental weakness, Mr. Thayer surrendered his Massachusetts charter. The company was continued as a private enterprise, with a capital stock of two hundred thousand dollars, under the name of the New England Emigrant Aid Company, and under the management of Mr. Thayer.

Other emigration companies were organized. One was the Emigrant Aid Company of New York and Connecticut, formed July 18, 1854, and later chartered by the Connecticut Legislature. Eli Thayer was its president. The Union Emigration Society was formed in Washington City, May 29, 1854. These, with the original society, comprised the three large societies formed to promote sectional emigration into Kansas. Many smaller ones were soon to be found in different parts of the North. They were uniform in purpose.[3]

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[3] The histories of Kansas have generally placed the organization of the local societies in Western Missouri before mention of the New England Emigrant Aid Society. So far as their employment in Kansas was intended, they were organized after the New England society had been incorporated.

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A summarization of the main purposes of the Emigrant Aid Company emphasizes these—

1. It would colonize Kansas with foreigners to the number of forty thousand annually.

2. It would send twenty thousand of the inhabitants of Massachusetts to Kansas every year. These were to be persons who hated slavery and would use every effort to destroy it.

3. It would procure other emigrants to Kansas, and these were also to be workers against making Kansas a slave state.

4. It promised the stockholders who might put up the five millions of capital of the company, the satisfaction of becoming founders of States—and of having *"an investment which promises large returns at no distant day."*

5. It was recommended that the director immediately make contracts with competing lines of travel for the transportation of twenty thousand persons from Massachusetts "to that place in the West which the director shall select for the first settlement."

6. Steam saw mills, grist mills, and other machinery were to be shipped into Kansas for the use of these twenty thousand people from Massachusetts, and others whom the company might send there.

7. A newspaper was to be established at the first point selected for settlement, which was to be the organ of the company—not a newspaper representing the sentiments and interests of the community.[4]

8. The first settlement was to be named in honor of the city which gave the most money to the enterprise. This provision failed to develop satisfactorily, when it was changed to a shrewd plan to induce vain and corpulent old gentlemen with heavy money-bags to come forward and compete for fame.

9. Land was to be procured, and when it had increased in value, it was to be sold for an advanced price. The proceeds were to be then invested in other tracts of new land around which settlements were to be erected. When that land increased in value it was to be sold, and so on. The report estimated that there would be seventy thousand inhabitants in Kansas in two or three years. Upon this increase in population the hope of increase in the value of land was based. These transactions were *"to return a very handsome profit to stockholders upon their investment."* [5]

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[4] In accordance with this declaration of one of the purposes of the company, G. W. Brown, of Conneautville, Pennsylvania, was hired by Mr. Thayer to take his paper to Kansas, there to be published in the interest of the New England Emigrant Aid Company. Mr. Brown denied this for many years in very blustering and violent language, but the fact is well established, and was later admitted by Mr. Thayer, who, however, adds the saving clause that Mr. Brown paid the money back. It is somewhat strange that Mr. Brown would have been so bitter in his denials if he had repaid the money.

[5] Many people were misled as to the intentions of the New England Emigrant Aid Company. Benevolence had no place in its designs. It was a money-making enterprise. It connected the anti-slavery sentiment

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When Kansas had been thus settled and developed, other states both new and old, were to be put through the same course. Writing of this plan thirty years later, Mr. Thayer said:

That we should put a cordon of Free States from Minnesota to the Gulf of Mexico, and stop the forming of Slave States. After that we should colonize the northern border Slave States and exterminate Slavery. That our work was not to make women and children cry in anti-slavery conventions, by sentimental appeals, BUT TO GO AND PUT AN END TO SLAVERY.[6]

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of the North with its purpose because that was the uppermost question of the day. It was supposed that many people would contribute to the purchase of its stock for sentimental reasons, and such proved to be the case. In treating this phase of the New England Emigrant Aid Company, Mr. Holloway, in his *History of Kansas,* said at page 119:

"The existence of this Aid Society doubtless facilitated emigration, by scattering information respecting the Territory over the land, by calling the attention of the people to the importance of settling Kansas in order to prevent the extension of slavery, and by the assurance which they gave that mills, schoolhouses and churches would be erected to accommodate the new country. Beyond this the work which they did towards peopling Kansas was insignificant. The only advantages which the New England Emigrant Aid Company furnished those who came under its immediate auspices, were the reduction of the fare about $5.00 and affording them the pleasure of a large company. The consequence was most people preferred to come independent of it. Not a cent was ever given by the company towards paying a single emigrant's fare; not a guarantee ever given that any person would be supported free after arriving in the Territory."

Mr. Holloway, (page 115), expressed doubt as to the justice of forming these sectional societies, but like most writers, approved them on the ground that good finally resulted. He admitted, (page 125), that "The direct effects of these societies were as a drop in the ocean in the settling of Kansas with freemen." The claim that the New England Emigrant Aid Company called attention to Kansas has always been made by those connected with it. The exact reverse is true. Mr. Thayer connected his company with Kansas for the reason that Kansas was already the spot-light of America, because of the interest aroused by the debates in Congress on the Kansas-Nebraska bill, the discussion of the bill and the debates in the newspapers, and the repeal of the Missouri Compromise. Mr. Thayer was a shrewd business man, and he saw that his plan was already advertised.

Mr. Holloway said, in addition to the above, that the total number of persons the New England Emigrant Aid Company sent to Kansas, was "as many as two thousand." As a factor in settling Kansas, the company was a failure. It was not until thirty years later that Mr. Thayer and his associates fell upon the plan to get glory, as they had gotten money, out of the speculative connections with Kansas. They then formulated the claim that the company had made Kansas a free state. The only danger Kansas ever was in of becoming a slave State resulted from the organization of sectional emigration to settle the Territory.

[6] This reference is to the hatred borne by Mr. Thayer to William Lloyd Garrison. Mr. Thayer and his friends never tired of abusing Mr. Garrison and accusing him of having above everything else, a desire to destroy the Union. The Abolitionists were denounced by Mr. Thayer

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If evidence were required, beyond the report brought in by Mr. Thayer, as already set out, to stamp the whole plan as absurd, this latter language of Mr. Thayer would answer that purpose. As an example of how one of the expectations of Mr. Thayer was realized, it is only necessary to say that instead of there being one hundred thousand people from Massachusetts in Kansas, as there would have been had his twenty thousand per annum materialized, there were in Kansas, in 1860, only twelve hundred and eighty-two people from Massachusetts.

The report of Mr. Thayer was published broadcast. It appeared in the New York *Tribune*, May 20, 1854. Mr. Greeley was enthusiastic in his approval of the plan, as his editorials at that time sufficiently testify. Other papers, both in the North and the South, contained Mr. Thayer's report, and comments thereon. Knowledge of the Emigrant Aid Company, and its intentions, was, in a short time, as extensive as that of the Kansas-Nebraska bill.

The effect of the formation of emigration companies and societies in the North, alarmed the South. Slavery had just triumphed in the passage of the Kansas-Nebraska bill. The question as to whether Kansas should be a free or slave state, had by that bill, been referred to the people who might make the first constitution of the State. That form of dealing with the slave question was known as "Squatter Sovereignty." When it was known that certain Northern states intended to combat this form of that settlement, in Kansas Territory, and try to secure Kansas to freedom by sectional emigration, there was nothing left for the South to do but to meet the conditions with counter organizations, if the contest was to be continued. It came early to be the belief of the South, that the friends of a free state in Kansas did not intend to abide by the terms of the Kansas-Nebraska bill. The victory for slavery had been won in the halls of Congress, and the fact that it was not accepted as conclusive, was a surprise to the slavery leaders. They immediately assumed this position: Granted that the repeal of the Missouri Compromise was wrong, it was equally wrong to attempt to nullify the Repeal by violence, which the organization of sectional emigration societies was held to be. In the South, many of those who had opposed the Repeal, were, by the acts of the North, thrown into the ranks of the pro-slavery element. The passions of the South were aroused by the formation of these political, sectional emigration societies to the same point to which the Northern people had been stirred by the passage of the Kansas-Nebraska bill. No other event so angered the South as the formation

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to the end of his life. It was always the plan of Mr. Thayer and his associates to assume a superior air, together with a "holier than thou" attitude, and pretend to superior achievements. Their manner of establishing their claims to superiority consisted in violent abuse and unmeasured denunciation of other people. As instances confirming this statement it is only necessary to call attention to the writings of Mr. Thayer, Charles Robinson, G. W. Brown, and later hired writings of their friends.

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of these societies. Every resource was to be drawn upon to effect a plan to offset the work of the societies.[7]

The feeling on the western border of Missouri can be adequately described only by calling it a frenzy against all anti-slavery people and movements. They supposed the twenty thousand persons from Massachusetts might arrive in Kansas at any time. They determined to go over into the Territory at once and stake out their claims preparatory to permanent settlement, whether the Indian titles had been extinguished or not. There had long been secret orders in the South for the regulation and control of slaves. Their functions had been principally to execute local police regulations and furnish patrols for plantations. These societies were now reorganized. They were changed in purpose and strengthened for new duties. Perhaps some new orders were instituted. They were given other names, and they held frequent meetings. The new names of some of these societies were: "The Blue Lodge," "The Social Band," "Friend's Society," and "The Sons of the South." There were many others, but these were the principal ones in existence in Missouri. They were the basis of the organization to counteract the societies in the interest of free state.[8]

During the month of May, much of the Indian land, in what is now Leavenworth County, had been staked out as squatter claims. There had been no survey of the lands of Kansas Territory and there were no legal descriptions of parcels of lands on which to lay these claims. They were taken under the pre-emption law, entitling a citizen of the United States to one hundred and sixty acres of land for a homestead, but the land had to be purchased from the United States after a home had been established upon it. There was at that time no homestead law, as later known. The squatters staked out their claims as nearly

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[7] If the element of sectional promoted emigration could have been left out of the Kansas situation, there would have been little serious trouble in Kansas. There might have been, possibly, a few blustering forays into the Territory by Mr. Atchison and his followers. These would not have had a solid Southern sentiment behind them. They would have accomplished nothing. The issue between freedom and slavery would have been settled peaceably at the polls, and freedom would have triumphed in Kansas without any great struggle.

[8] There is no justification for the action of the South, especially those of the people of Missouri, about the formation of the New England Emigrant Aid Company. Little effort has been made, even in Missouri, to condone those actions. No successful effort for that purpose ever can be made. No excuse can ever be made for the course slavery had pursued for the previous thirty years. No valid excuse can be offered for the repeal of the Missouri Compromise. It was reactionary and in the interest of barbarism. It was another link in the chain by which slavery was destroying itself. The time was near at hand when the moral sense of the people of the Union would have destroyed it because of such aggressive actions. There was no more excuse for sectional emigration in Kansas, than there had been for the repeal of the Missouri Compromise. The result of each was to embitter people and inspire them with hatred against one another. Two wrongs never yet made a right.

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in accordance with these conditions as possible. They marked their claims by putting up a rude cabin, or by bringing timber or logs for such a cabin, or, in some instances, by placing four logs upon the ground as a foundation for the future cabin. By the treaties negotiated with the Indian tribes, it was provided that much of the land should be sold by the Government to settlers. In many instances land of this character was settled upon by the squatters. On the 10th of June, 1854, the squatters held a meeting in the Salt Creek Valley, west of the City of Leavenworth. At that meeting a Squatter's Claim Association was formed and the following declarations and resolutions were adopted:

WHEREAS, We the citizens of Kansas Territory, *and many other citizens of the adjoining State of Missouri,* contemplating a squatter's home on the plains of said Territory, are assembled at Salt Creek Valley for the purpose of taking such steps as will secure safety and fairness in the location and preservation of claims; therefore be it

Resolved (1) That we are in favor of a *bona fide* Squatter Sovereignty, and acknowledge the right of any citizens of the United States to make a claim in Kansas Territory, ultimately with the view of occupying it.

(2) That such claim, when made, shall be held inviolate so long as a *bona fide* intention of occupying is apparent, and for the purpose of defending and protecting such claim, we agree to act in concert, if necessary, to expel intruders.

(3) That every person of lawful age who may be at the head of a family, who shall mark out his claim of 160 acres, so that it may be apparent how the same lies, and proceed with reasonable diligence to erect thereon a cabin or tent, shall be deemed to have made a proper claim.

(4) That any person marking out his claim shall be deemed to have forfeited it unless he commences his cabin, or pitches his tent within two weeks thereafter, unless the same be on lands which prohibit it by military or Indian reservations.

(5) That all persons now holding claims shall have two weeks from this day, in which to make the improvements contemplated by the foregoing resolutions.

(6) No person shall be protected by the Squatter's Association who shall hold in his own right more than one claim.

(7) That a citizen of the Territory be appointed as register of claims, who shall keep a book in which he shall register the name and description of all squatters, and their claims, and the dates of making the same, for which registration he shall be allowed the sum of fifty cents, to be paid by the claimant.

(8) That we recognize the institution of slavery *as always existing in this Territory,* and recommend slaveholders to introduce their property as early as possible.

(9) That we will afford protection to no Abolitionists as settlers of Kansas Territory.

(10) That a "Vigilance Committee" of thirteen be appointed by the Chairman to decide upon all disputes in relation to claims, and to protect the rightful party; and for that purpose shall have power to call together the entire "Squatter's Association."

(11) That all persons who wish to become members of the Squatter's Association shall subscribe to the foregoing preamble and resolutions.

(12) That the Secretary of this meeting be instructed to hand these

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proceedings to E. S. Wilkinson and S. J. Finch, or either of them, for immediate publication and reference.

LEWIS BURNES, *President.*

J. H. R. CUNDIFF, *Secretary.*

At Weston, in Platt County, a meeting adopted the following resolution:

Resolved, That this association will, whenever called upon by any of the citizens of Kansas Territory, hold itself in readiness together to assist and remove any and all emigrants who go there under the auspices of the Emigrant Aid Societies.

At Liberty, the county seat of Clay County, there was held a large meeting. The following declaration and resolution were passed:

Therefore, we, the citizens of Clay County, believing self-preservation to be the first law of nature, and learning that organizations have been effected in the Northern States for the purpose of colonizing the Territory of Kansas with such fanatical persons as composed the recent disgraceful mob in the city of Boston, where a United States officer, for simply attempting to obtain justice for a Southern citizen, was shot down in the streets; and learning, too, that these organizations have for their object the colonization of said Territory with "eastern and foreign paupers," with a view of excluding citizens of slave-holding States, and especially citizens of Missouri, from settling there with their property; and, further, to establish a trunk of the under-ground railroad, connecting with the same line, where thousands of our slaves shall be stolen from us in thwarting their attempts upon our rights, we do

Resolved, That Kansas ought of right to be a slave State, and we pledge ourselves to co-operate with the citizens of Jackson County, and the South generally, in any MEASURE to accomplish such ENDS.

On the 28th of June, 1854, the correspondent of the *Baltimore Sun,* sent his paper an abstract of the above resolutions:

According to these resolutions abolitionists or free-soilers would do well not to stop in Kansas Territory, but to keep on up the Missouri River until they reach Nebraska Territory, where they can peacefully make claims and establish their abolition and free-soil notions for if they do, they will be respectfully notified that but one day's grace will be allowed for them to take up their bed and baggage and walk.

It is estimated that some *two thousand claims* have already been made within fifteen miles of the military reserve, and, in another week's time, double that number will be made.

As showing the state of feeling of the citizens of the State of Missouri, the following extracts from public prints of that day are set out.

Democratic Platform, Liberty, Mo., June 8, 1854:

We learn from a gentleman lately from the Territory of Kansas that a great many Missourians have already set their meg in that country, and are making arrangements to "darken the atmosphere" with their negroes. This is right. Let every man that owns a negro go there and settle, and our northern brethren will be compelled to hunt further north for a location.

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June 27, it said:

We are in favor of making Kansas a "Slave State" if it should require half the citizens of Missouri musket in hand, to emigrate there, and even sacrifice their lives in accomplishing so desirable an end.

The *Liberty Platform* expressed itself in these words:

Shall we allow such cut-throats and murderers, as the people of Massachusetts are, to settle in the territory adjoining our own State? No! If popular opinion will not keep them back, we should see what virtue there is in the force of arms.

The *Platte City Argus*:

We are advised that the abolition societies of New England are shipping their tools, at the public expense as *Mormons*, ostensibly for Salt Lake, but that it is the real *design* of these worthies to stop in Kansas Territory for the purpose of *voting* to establish *a free State and an underground railroad*. We say, let the Mormons go their way in peace to Utah, but if they remain in Kansas to inflict the blighting curse of *their principles* upon the future policy of the country ——— *let a Mormon war be declared* forthwith.

Citizens of the West, of the South and Illinois! Stake out your claims, and woe be to the abolitionist or Mormon who shall intrude upon it, or come within reach of your long and true rifles, or within *point blank shot of your revolvers*. Keep a sharp lookout, lest some dark night you shall see the flames curling from your houses or the midnight philanthropist hurrying off your faithful servant.

Later it said:

The abolitionists will probably not be interrupted if they settle north of the fortieth parallel of north latitude, but south of that line, and within Kansas Territory they need not set foot. It is decreed by the people who live adjacent that their institutions are to be established, and candor compels us to advise accordingly.

A meeting held at Westport passed the following resolutions:

Resolved, That we will carry with us into the new Territory of Kansas every species of property, including slaves, and that we will hold and enjoy the same. That we desire to do so peacefully, and deprecate the necessity for resorting to violence in support of our just and lawful rights. Yet, (in no spirit of bravado and with the strongest wish for peace), apprehensive of interference with our private and domestic concerns by certain organized bands, who are to be precipitated upon us, we notify all such that our purpose is firm to enjoy all our rights, and to meet with the last argument all who shall in any way infringe upon them.

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[9] In the repeal of the Missouri Compromise, the South had secured what she termed Southern constitutional rights. She had triumphed.

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[9] The first mistake made in connection with the settlement of Kansas after the passage of the Kansas-Nebraska bill, was the organization of

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Her national victory was won. It is probable that she would have made an effort to dissolve the Union had she failed to secure the equal rights for slavery gained in the Repeal. But having obtained all she contended for, that crisis was passed.

What had the South done in the repeal of the Missouri Compromise?

She had voluntarily surrendered the national phase of slavery and accepted in lieu thereof the local phase of slavery—Squatter Sovereignty. The nation should *not* say—the people of the state interested *should* say whether slavery should exist in its bounds.

The extension of slavery, after the Repeal, was a local question—not a national question.

While the South had seemingly triumphed, she had in fact insured her own defeat. For the repeal of the Missouri Compromise would have destroyed slavery peaceably in another generation. The foundation for its destruction had been laid in the development of a national sentiment against it by the Repeal.

But for sectional emigration the South would have lost Kansas peaceably—and would have accepted that result without war—there would have been no solidified Southern sentiment to sustain an appeal to the sword. The Union sentiment in the South would have been able to assert itself. It would have pointed out that the South had lost through following her own plans. The slavery propagandists would thereafter have

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the societies for the promotion of emigration into the territory on political and sectional lines. The contest was by that act revived as a national issue and at once precipitated. This contest developed into a Civil War. Without the baneful influence of these societies and the actions they promoted, Kansas would have become a free state without outrage, and the Union would have been saved without bloodshed.

The views expressed here are not new. These principles were recognized by many in Kansas Territory from the coming of Reeder to the admission of the State into the Union. In a report to the Legislature of Kansas Territory, Special Session, 1860, the Chairman of the committee appointed to investigate the losses in the Territory during the border wars, had this to say:

"It had been demonstrated to the satisfaction of all, that most of the outrages complained of had been perpetrated and property taken and destroyed by a class of irresponsible and reckless desperadoes, drawn hither through the excitement and appliances of a political campaign and the intervention of parties and partizans outside of the Territory; that many of these desperadoes who came here were governed by self-interest instead of political principles and that they, to a great extent, participated in the warfare, some on one side and some on the other—in fact, *that outside intervention in Territorial affairs, contrary to the wishes and interests of the real settlers of Kansas,* caused and continued the prolonged strife. But for such intervention on either side, the real settlers would soon have settled their political differences in a legal and peaceable manner, provided the General Government had afforded them the protection and 'fair play' guaranteed them by the Constitution. Time and the ballot-box were all that were necessary to demonstrate and establish whatever the people of Kansas might deem for their best interests."

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been a radical faction devoted to a losing cause, and would have disappeared, as have radical factions standing for the agitation of a settled issue in all ages.

Flaring maps in many histories show the vast extent of the Great Northwest thrown open to slavery by the Repeal. The South could not have gone there. Slave labor was profitable in the production of cotton. To have made it profitable in other industries would have required more time than the South could have given. For all that country was unsettled—a virgin wilderness. Slavery could not have seated itself in that country, even if unopposed, in one generation. The climatic theory of Webster would not have materialized. It has long been proven that the negro can live in comfort in any climate a white man can stand.

So, in summarization we find this:

The South demanded the Repeal of the Missouri Compromise as an act of justice.

She would have dissolved the Union if she had not secured the Repeal.

The Repeal was the end of the struggle as a national matter. The crisis was passed. The cause for secession no longer existed.

The extension of slavery was made a local issue. It became such when the South voluntarily accepted Squatter Sovereignty.

Slavery, instead of gaining by the Repeal, really destroyed itself by enacting that measure.

For it shocked and aroused the moral sense of the Union, which would have swept away slavery by peaceful means.

Slavery was revived as a national issue by the organization of sectional emigration to Kansas.

This organization was as great a crime as was the Repeal.

It changed the form of the extinction of slavery from a moral to a political contest—from a battle of moral principle to one of arms—force.

The Civil War did not result from the aggressions of slavery after the repeal of the Missouri Compromise, but

It was the result of the new issue raised in Kansas—sectional emigration—followed to its logical conclusion.

Once the issue came up for final settlement—once the issue came to be freedom or slavery, bondage or liberty—there was but one course. Then, it did not matter how the issue had been raised. Loyalty and patriotism, moral sense and justice, demanded that slavery be destroyed and liberty enthroned. And that made Kansas the battle-ground and her people immortal.

For Kansas won, and her victory saved the Union.

Thus, were sown the dragon-teeth which were sure to germinate and bear bountiful harvests of malice, intolerance, suspicion, strife, blood-

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shed, and civil war. In Kansas the South lost, and the history of the Territory and the State has been written by the victors—those founding a Free State through much tribulation. No dispassionate account of the actions of Northern emigration organizations has been written. But the time has come to set down the truth, even if it should prove that ardent friends of liberty and of free Kansas were carried beyond the bounds of right by their devotion to freedom. If the spirit of freedom was commercialized—sold for gain—the man base enough to do it should be singled out. For war and death followed his act, and innocent blood lay at his door. And if a historian has not the courage to record the facts, even though these facts are sometimes to the disparagement of those laboring on the side of right, then he should lay down the pen. For, man is, after all, but man laboring under the weaknesses common to mankind. There is no perfection. Zeal even for the right may carry the best beyond due bounds. When the passions are moved to the depths, human nature does not always see the signal marking good from evil. So, were set here in this primal land the final lines between Freedom and Slavery. Far flung were the battle-lines. Whether by right or by wrong—there they stood. Would that they had been set in good will—as they might have been. Henceforth the murky night would be lighted up by the red glare, and blood was to cry to heaven for vengeance in the earth.

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CHAPTER XVIII

FIRST SETTLEMENTS

Some settlers began to arrive in Kansas as early as April, 1854. They increased in numbers constantly from that date. We have already noted the staking out of claims in the Salt Creek Valley by settlers from Platte County, Missouri. While some of these squatters did not make a home in Kansas Territory, and had no intention of doing so, a good many of them, in fact, were acting in good faith; they erected dwellings on the claims they had taken.

Two of the early settlements of Kansas became most noted in the history of the Territory and the State. These were Lawrence and Atchison. Lawrence was founded in what was later made Douglas County, and Atchison was laid out in what became Atchison County. When the first settlements were made, however, no counties had been formed, and these towns had not been located.

Douglas County, containing the city of Lawrence, which was the headquarters of the Free-State men in Kansas, had the leading part in Kansas Territorial history. The capital of Kansas Territory, Lecompton, was also in Douglas County. The old Santa Fe trail passed through the south part of the county, and a number of ambitious towns were formed along that famous highway. Among them were Palmyra, Louisiana, and Brooklyn. Prairie City was only two miles south of it, and Baldwin City about one mile south. The post-office of Hickory Point had been fixed on the site of Louisiana before the town had been laid out. Hickory Point came to notice later as the place where some of the events leading to the Wakarusa War transpired.

The first arrivals, in what became Douglas County, were probably pro-slavery men, although Free-State men began to arrive early in June. The Oregon Trail, locally known as the California Road, passed through the northern part of the county. This trail crossed the Wakarusa at the house of Charles Blue-Jacket, a chief of the Shawnees. The pro-slavery settlers etablished the town of Franklin, on the California Road, about two miles west of the crossing. The trail passed up Mount Oread and followed the "back bone ridge" which divided the waters of the Kansas from those of the Wakarusa. Six miles west of Mount Oread, on a fine elevation, there was a noted spring. At that point Judge John A. Wakefield, who arrived in the Territory on the 8th of June, 1854, made his home. Another noted place on the trail was Big Springs, within a mile of the west line of the county. A settlement was made there.

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Some of the names of those arriving in 1854 are set out: J. W. Lunkins, a South Carolinian, April 13th. A. R. Hopper, May 9th. Clark Sternes and William H. R. Lykins settled on the land upon which Lawrence was afterwards founded, May 26th. A. B. and N. E. Wade came on the 5th of June. Brice W. Miller, June 6th. Martin and Calvin Adams arrived June 10th. H. H. Eberhart, June 12th. J. H. Harrison arrived June 14th. H. S. and Paul Eberhart came on the 15th of June. S. N. Wood, later to become prominent in many of the affairs of the Territory and State, arrived on the 24th of June. James F. Legate came on the 5th of July. Joel K. Goodin, from Ohio, settled south of the California Road in May. Thomas W. Barber, later to become a martyr in the cause of freedom, settled on the Wakarusa, southwest of Lawrence, early in 1855.

There were no laws, no courts, and it was necessary for the settlers to make such regulations as would preserve order until a government could be set up. Two associations were formed in what is now Douglas County. One was the *Wakarusa Association,* the other the *Actual Settlers' Association.* The latter was composed of men who had actually staked out their claims and were then living on them. On the 12th of August a meeting of the Actual Settlers' Association was held at the house of Brice W. Miller. John A. Wakefield was its President, and S. N. Wood was the Recorder. The residence of Mr. Miller was known as Miller's Spring, or Millersburg, and was one mile from the site of the future Lawrence. The constitution of the Association provided that none but the actual settlers should vote, but there appeared at the meeting the members of the Wakarusa Association. They had not yet become residents in the Territory, but had staked out their claims. They desired to take part in the proceedings of the meeting. A Mr. Dunham was put forward to make the plea for the Wakarusa Association. A controversy arose and it seemed that bad feelings would be engendered. Mr. H. D. Woodworth, from New Orleans, of the Wakarusa Association, made a conciliatory speech and proposed the appointment of a committee of conference, to be composed of members of each association. The committee was to agree upon a plan of united action. The Wakarusa Association appointed Dunham, Lykins and Hayes. On the part of the actual settlers, John Doy, William Lyon and A. H. Mallory were the members. The meeting then adjourned to give the committee time to formulate a report. Within an hour the following report was brought in:

WHEREAS, The laws of the United States confer upon citizens the privilege of settling and holding lands by preemption rights; and, whereas, the Kansas Valley, in part, is now open for the location of such claims; and, whereas, we, the people of this convention, have, and are about to select homes in this valley, and in order to protect the public good, and to secure equal justice to all, we solemnly agree and bind ourselves to be governed by the following ordinances:

1. We recognize the right of every citizen of the United States, of lawful age, or who may be the head of a family, to select, mark and claim, 200 acres of land, viz.: 160 acres of prairie, and forty acres of timber land, and who shall within sixty days after the treaty is ratified,

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proceed to erect thereon a cabin, or such other improvements as he may deem best, and shall, within sixty days after the ratification of the treaties, enter thereon as a resident.

2. A claim thus marked and registered, shall be good sixty days from the ratification of the treaty, at which time the claimant, if the head of a family, shall move upon and make his home on either the prairie or timber claim, which shall make them both good, and shall be regarded so by the settlers. Single persons or females making claims shall be entitled to hold them by becoming residents of the Territory, whether upon their claims or otherwise. Any person making a claim as above shall be entitled to a day additional for every five miles they have to travel to reach their families.

3. No person shall hold more than one claim, directly or indirectly.

4. No one shall be allowed to enter upon any previously made or marked claim.

5. All persons failing to commence improving or entering thereupon within the time specified, shall forfeit the same and it shall be lawful for any other citizen to enter thereon.

6. Each claimant shall, at all reasonable times, hold himself in readiness to point out the extent of his claim to any person who may wish to ascertain the fact.

7. It shall be the duty of the register to put every applicant upon proof, oath, or affirmation, that the claim offered for registry is free from the claim of any other person.

8. Every application for registry shall be made in the following form, viz.: "I apply for certificate of registry for claim selected and marked, on this ..... day of ....., 1854, lying and being in ....., containing 160 acres of prairie and forty acres of timber land, and declare upon honor that said claim was selected and marked on the ..... day of ....., and that I am claiming but the one in my own right, and that it was not claimed or selected by any other person." To be signed by the applicant. Any person failing to make this certificate shall not be entitled to register.

9. We agree, upon the survey of the Territory, to mutually deed and re-deed to each other, so as to leave as near as possible as claimed.

10. The officers of this association shall be, one Chief Justice, one Register, one Marshal and one Treasurer.

11. The duty of the Chief Justice shall be to try and decide all disputes between settlers in reference to claims or otherwise, and to try all criminals or persons guilty of the violation of the laws of the Territory. The said Chief Justice shall always take justice between man and man as his guide; and upon the demand of either party shall summon a jury of six persons to try all disputes or violations of law, the jury to be selected as follows, viz.: The Chief Justice to write down the names of eighteen persons, and each party to mark alternately until six names only are left, the defendant marking first. The Chief Justice shall also act as President of all meetings of the association, and in his absence a President pro tem shall be appointed.

12. The duty of the Register shall be to register all claims and other necessary matter, act as Secretary of all meetings of the association, and to act as Chief Justice in his absence, or where he may be a party interested.

13. The Marshal shall execute all decisions of the Chief Justice or Juries, and shall see that the laws of the association are executed, and shall have power, if necessary, to call upon all members of this association to assist in executing the same.

14. The limits of this association shall be the waters of the Wakarusa

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and Kansas Rivers, and the Territory between the same, from the mouth of the Wakarusa up to the Shawnee purchase.

15. It shall be the duty of the Marshal, on the complaint of any citizen, by himself or Deputy, to summons and bring before the Chief Justice the parties for trial.

16. The officers of this association shall receive a suitable compensation for their services, which sum shall be decided by the association.

17. A Treasurer shall be appointed by the association, who shall give approved security for the faithful disbursement of all moneys that shall be received into the treasury.

18. The Treasurer shall be authorized to pay all drafts for the expenses of the association when presented to him, signed by the President and Secretary.

19. The officers shall be elected by the association, and, by a majority vote of the same, removed.

20. Officers of the association shall be residents of Kansas Territory.

21. The *Coon River, Wakarusa,* and all other associations are dissolved from this date.

Dr. John Doy and Mr. William Lyon also made a minority report in favor of an additional article, confining voting to actual settlers. A motion was made and carried, that both reports be received, and the committee discharged. Mr. Wood then remarked that he was in favor of harmony and wanted to be on both sides, and moved the adoption of both reports, which motion was unanimously carried, and the reports adopted.

On motion of Mr. Dunham, the association then assumed the name of "The Mutual Settlers' Association of Kansas Territory." The association then proceeded to the election of permanent officers, with this result: Chief Justice, John A. Wakefield; Register, J. W. Hayes; Marshal, William H. R. Lykins; Treasurer, William Lyon.

On motion of Dr. Doy, the money in the treasury of the Actual Settlers' Association was ordered to be paid to S. N. Wood for his services as Register.

On motion of H. Cameron, Esq., the association adjourned *sine die.*

It will be seen that the Missourians and Free-State men were able to agree as to what should be done by the pioneers in marking out their course for the settlement of Kansas Territory. If they could have been left free from outside interference, much trouble would have been avoided.

At a meeting held at Westport, Missouri, on the 19th of August, 1854, Mr. Woodworth and Mr. Dunham were speakers. The object of the meeting was "to protect this frontier from threatened invasion of the pioneers that had arrived and were still arriving through the agency of this Emigrant Aid Association, organized by the Abolition fanatics." Mr. Wood, the Recorder of the Actual Settlers' Association, in a letter to Eastern newspapers a few days after the Westport meeting, had this to say:

Notwithstanding the threats and brow-beatings of the Missourians, the greatest proportion of the settlers here are Northern people. Nine-tenths of the balance are honest Southerners, who are coming, as they say, to get rid of slavery. I was mistaken in the character of the Missourians. A few *fanatics* who were resolved to extend slavery at all hazards, seemed for a time to give tone to the whole people; but a better

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acquaintance convinces me that many of the people condemned the violent resolutions passed at Westport and other places.

Mr. Wood had written a previous letter dated June 28th, 1854, in which he stated that "I have just made a trip over into the territory, and found on the Indian reserve, scores of families from Iowa, Illinois, Indiana, and other northern states, and still they come. Next week we have a general meeting up the Kansas River, where hundreds of free men will be rallied; a fiat will then go forth that will sound the death-knell of slavery in Kansas, at least."

The site of the city of Lawrence was selected in July, 1854, by Charles H. Branscomb and Dr. Charles Robinson, of Massachusetts. They visited the Territory as agents of the New England Emigrant Aid Company.

FIRST HOUSE IN LAWRENCE

[Copy by Willard of Photograph in Library of Kansas State Historical Society]

After making a survey of the country, they chose the site of Lawrence as the point where the Aid Company would make its first settlement.

The first colony sent out by the Emigrant Aid Company, left Boston, July 17, 1854, and arrived at Kansas City, July 28th. It consisted of twenty-nine men. They reached the site selected for their settlement on the first day of August. On that day, the hill on which the University now stands, was named Mount Oread, for Oread Seminary, of Worcester, Massachusetts, founded by Eli Thayer. Fifteen of this party remained on the selected site, while the others secured claims some distance away. Charles H. Branscomb was the leader of the first party.

The second party sent out by the Emigrant Aid Company left Worcester August 29, 1854, and consisted of sixty-seven persons. In this party there were ten women and a dozen children. This party was led by Dr. Charles Robinson and Samuel C. Pomeroy. There were four musicians: Joseph and F. Savage, and N. and A. Hazen. They brought

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their musical instruments with them. That of Mr. Joseph Savage had a part in the sacking of Lawrence, and is now in the Museum of the Kansas State Historical Society.

The location of the first settlement had been known as Wakarusa. The first party had settled on the site of Lawrence near the river, on both sides of what was later Massachusetts Street. On the 9th of September, some of the second party arrived at Wakarusa. The women and children were with this party. The remainder of the company arrived on the 11th. The members of the first party having settled on the townsite, gaining thereby a prior right, it was necessary for the second party to come to some agreement with these first settlers as to the disposition to be made of the lots of the future town.

The third party of Aid Company emigrants came under the leadership of Mr. Branscomb, reaching Lawrence, October 8th and 9th. Most of these became disgusted with the outlook and immediately returned. They exhausted their vocabulary denouncing Mr. Thayer and his agents, claiming that they had been deceived. They were probably poor material for pioneers. Two other companies were sent out by the Emigrant Aid Company during the year.

Atchison was the stronghold and headquarters of the men determined to make Kansas a slave state. From that town many of the operations of the pro-slavery forces were directed. The town was laid out by residents of Platte County, Missouri, and named for Senator David R. Atchison, who spent a considerable part of his time there, but never made it his legal residence.

The first settlers began to arrive, in what is Atchison County, in June, 1854. They staked out claims near where Oak Mills was afterwards located. They did not erect dwellings at that time, the first houses built on claims being put up in July, 1854. Senator Atchison had decided that a city should be built in the Territory at the Big Bend of the Missouri, and on the 20th of July, Dr. J. H. Stringfellow, Ira Norris, Leonidas Oldham, James B. Martin and Neal Owens left Platte City, Missouri, to make the definite location. They selected the site. A company was formed and the town laid out. In a speech on the morning the sale of lots began, Senator Atchison made a review of the passage of the Kansas-Nebraska bill. He also touched upon the future of Kansas Territory, saying that if he had his way, he would hang every abolitionist who dared show his face there. He qualified his words to prove to his hearers that he had no prejudice against the Northern settlers, saying that he knew there were sensible, honest, right-feeling men among them who would be as far from stealing a negro as a Southern man. Senator Atchison was known all over the South, and his connection with the town of Atchison caused the rabid slavery men, coming into the territory, to select that city for their residence. The settlement of the country about Atchison was made in the same manner and about the same time as other settlements of that day. Among them were many Free-State men. Many Missourians settled in the country who acted with the Pro-Slavery men through the fear that their lives and property would be in danger if they

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did otherwise. They were, in fact, opposed to slavery, and were pleased when Kansas was made a free state.

Leavenworth was the first town in Kansas. It also bore an important part in the history of the Territory. It was located on land adjoining the Fort Leavenworth reserve on the south. The location was one of the best in the Territory. It enjoyed communication by steam-boats on the Missouri River, and there was much business at the Fort, which gave it a great advantage. It was laid out by an association formed at Weston,

JOSIAH MILLER, FOUNDER OF THE *Kansas Free State*, LAWRENCE, 1855

[Copy by King, Topeka, of Daguerreotype owned by William Miller, Lawrence, Kansas]

Missouri, June 13, 1854. The first sale of lots was held October 9th and 10th. By the first of August there were a good many settlers on the town-site. The first settlers were Missourians, but at the time of the first sale of lots, settlers were arriving from Iowa, Illinois, Indiana and Ohio. The city of Leavenworth became a rival to Atchison as a hot-bed of pro-slavery sentiment and operations. Some of the first disturbances in the Territory were at Leavenworth. There were among the Missouri settlers, many Free-State men, as in the settlements back of Atchison.

Topeka was founded December 5, 1854, by Cyrus K. Holliday, of Pennsylvania. It was designed by Mr. Holliday, to be the capital of

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Kansas. The Free-State men, when they set up an opposition government, made it their capital of Kansas Territory. Later it was made the capital of the State.

The settlers coming from free states did not, as a general thing, stop on the border. They moved up the Kansas River and other streams, forty to fifty miles, to stake out their claims. They hoped to avoid trouble by doing so. It was their intention to make their settlements where they would be unmolested by the Pro-Slavery settlers from Missouri, as far as possible.

JOHN SPEER, LAWRENCE PIONEER EDITOR AND AUTHOR

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

The eastern border of Kansas, generally, was settled in about the same manner and near the same time that these settlements already noted were formed. The rules formed by the settlers in these first communities were to be found in substance in all the early settlements in the Territory. These squatter associations were compelled to make rules for the regulation of the conduct of the various communities, and it will be seen that there was little friction between the early settlers until after the enactment of laws by a regularly constituted legislature.

The first newspaper to be published in the Territory was the *Kansas*

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Weekly Herald, the first number of which appeared September 15, 1854. Wilder says of this paper: "It was printed under an elm tree on the Levee, near the corner of Cherokee Street. It was a pro-slavery paper. H. Rives Pollard of Virginia was at one time its editor."

The first Free-State paper in the Territory was the *Kansas Free State.* The first issue was dated January 3, 1855. It was owned and edited by Josiah Miller and R. G. Elliott. Mr. Miller was a native of South Carolina, but was a Free-State man. The first number of the paper had this to say: "We are uncompromisingly opposed to the introduction of slavery into Kansas, as tending to impoverish the soil, to stifle all energy and enterprise, to paralyze the hand of industry and to weaken intellectual effort." Having been reared in a slave state, he was in position to state the objections to slavery in this succint form. He also said: "There are thousands of genuine free-soilers at the South, men like ourselves, who hold opinions in common with the fathers of the Republic regarding slavery a great evil, and are in no wise desirous of having it extended beyond its original limits. But we say as regards this question, that we establish our press here, knowing no North, no South, no East, no West, but the very best interests of the American people. We come not then as the peculiar advocate of any section. We disavow all connection with emigrant aid societies, have nothing to do with them, and have no confidence in them. We stand here upon our own individual responsibility, claiming nothing more than to be considered two of the humble citizens of Kansas Territory."

The *Kansas Tribune* was established at Lawrence by John Speer, who arrived September 21, 1854. The first issue of the paper was January 5, 1855. Mr. Speer came to Kansas from Medina, Ohio. He did not have a printing office at the time of the issue of his first number. The *Kansas City Enterprise* and the *Leavenworth Herald* both refused to print his paper because of its Free-State sentiments. Mr. Speer became one of the foremost editors of Kansas, and one of the prominent men of the State. He lived to a ripe old age and died only a few years ago in Denver.

The Herald of Freedom, the organ of the Emigrant Aid Company, issued a paper dated at Wakarusa, Kansas Territory, October 22, 1854, but this issue was printed in Pennsylvania. The second issue was dated Lawrence, January 6, 1855. A dispute arose later between *The Free State* and *The Herald of Freedom* as to which was in fact published first in Kansas.

Mr. Thayer wrote Brown the following letter for the government of his actions and as a guide for his policy in Kansas:

WORCESTER, SEPT. 22, 1854.

G. W. Brown, Esq.

Dear Sir—As our company have selected you as a suitable person to conduct a paper in Kansas Territory which shall represent our interests there, I take the liberty of making a few suggestions in regard to the great work upon which you are now engaged.

Your paper will not only be the "Herald of Freedom," but the

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herald of news from Kansas to its numerous readers. We shall look to it for tidings from our pioneers in the Territory, individually and collectively. We expect it to be the chronicle of important incidents, whether personal or public, of truthful and reliable information in regard to the resources of the Territory and the moral, intellectual and physical progress of the people there.

Our agents there are reliable men, who will present to you their credentials, and will often furnish communications for the columns of your paper. They are all able writers, and devoted heart and soul to the interests of Kansas. They will explore the country minutely and give to you for publication the results of their labors. You may at all times rely upon their truth and fidelity.

Besides these aids in your enterprise, you will often be furnished with articles from gentlemen of our emigrant parties, many of whom are liberally educated and professional men. We hope, as far as your limits will allow, you will give them place in your columns, and thus give each subscriber the pleasure of occasionally reading an article over the signature of a well-known friend of Kansas.

We pledge to you our hearty good will and cheerful co-operation in the noble work to which you have devoted yourself. Truly Yours,

ELI THAYER,
President of the Emigrant Aid Company.

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CHAPTER XIX

GOVERNOR REEDER

THE LIMITATIONS OF THIS WORK MAKE IT NECESSARY TO CONSIDER MOVEMENTS RATHER THAN INCIDENTS IN KANSAS HISTORY. ONLY SUCH ANNALS WILL BE RECORDED AS ARE BELIEVED INDISPENSABLE TO THE PROPER ELABORATION OF THE GREAT PRINCIPLES UNDERLYING THE HISTORY OF KANSAS TERRITORY. LOCAL INCIDENTS WHICH OCCURRED DURING THAT PERIOD WILL NOT APPEAR IN THESE PAGES UNLESS THEY COME UNDER THE ABOVE RULE.

The inauguration of local government for Kansas Territory devolved upon the Administration of President Franklin Pierce. It was necessary for him to appoint Territorial officers, whose duty it would be to set up a government in Kansas under the provisions of the Kansas-Nebraska bill. For Territorial Governor, Andrew H. Reeder, of Easton, Pennsylvania, was appointed, June 29, 1854. On the 7th of July the oath of office was administered to him at Washington, by Peter V. Daniel, one of the Justices of the Supreme Court of the United States. The salary of Governor Reeder was $2,500 per annum.

Daniel Woodson, of Lynchburg, Virginia, was appointed Territorial Secretary on the 29th of June. His salary was $2,000 per annum.

Israel B. Donalson, of Illinois, was appointed United States Marshal for the Territory, with a salary of $300 per annum and fees.

Justices were appointed as follows: Chief Justice, Madison Brown, of Maryland. Mr. Brown declined to serve, when the President appointed Samuel D. Lecompte of Maryland, on the 3d of October, as Chief Justice of Kansas Territory. His salary was $2,000 per annum. The Associate Justices were Saunders W. Johnston and Rush Elmore. Johnston was from Ohio and Elmore from Alabama. Each drew a salary of $2,000 per annum.

The United States District Attorney for the Territory was Andrew J. Isacks, of Louisiana.

Governor Reeder was born at Easton, Pennsylvania, July 12, 1807. He received an academic education. He read law in the office of Peter Iksie, of North Hampton, and was admitted to practice at the North Hampton bar in 1828. At the time of his appointment as Governor of Kansas Territory, he was held as one of the ablest lawyers in Pennsylvania. In politics he had always been a Democrat, and was an enthusiastic supporter of the doctrine of Squatter Sovereignty, and the prin-

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ciples of the Kansas-Nebraska bill. He had had no experience in politics, and no practical experience in the administration of government. He was a man of correct principles, but deficient in that sturdy combativeness requisite for the position to which he had been appointed. He was described as somewhat corpulent, deliberate of action and speech, medium of stature, iron-gray hair, full blue eyes, gray mustache, and erect of person. He is pictured in some of the histories of Kansas with side-whiskers.

GOV. ANDREW H. REEDER

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

Governor Reeder seemed to be in no hurry to reach his field of labor, delaying his arrival in Kansas until the 7th of October, 1854, upon which day he arrived at Leavenworth on the steamer *Polar Star*. The people had been expecting the Governor for some time, and were impatient at his delay. The issues raised in Kansas were entirely different from the issues raised by the passage of the Kansas-Nebraska bill, as has already been noted. Governor Reeder came to Kansas prepared to set up a government and direct the administration of it, as provided in the Kansas-Nebraska bill. He was entirely ignorant of the new issues

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precipitated in Kansas during the discussion of that bill and after its passage.

The people about Fort Leavenworth assembled immediately upon receipt of the intelligence that the Governor had arrived, and tendered him a reception. As the speeches delivered upon that occasion may be taken to represent the views of Governor Reeder and the Democratic party outside the Territory, they are here set out, taken from the issue of the *Kansas Weekly Herald,* October 13, 1854.

On Saturday last Gov. Reeder, with Mr. C. A. Williams, his private secretary, and Andrew J. Isack, Esq., United States Attorney for Kansas, arrived at Fort Leavenworth by the *Polar Star.* His landing was greeted by the officers of the fort with the national salute, and he became the guest of the commandant, Capt. F. E. Hunt.

At 3 o'clock in the evening, the citizens of Kansas, from Leavenworth, Salt Creek and the country for miles around, gathered at the fort to pay their respects to Gov. Reeder. The concourse was large and highly respectable, and most enthusiastic in their gratification at his arrival. Our citizens in a body called upon the Governor at the quarters of Capt. Hunt, and a general introduction took place, during which many kindly expressions of welcome were indulged on the part of the people, and reciprocated by the Governor with the republican frankness and honest cordiality so agreeable to Western men. After a general interchange of courtesies, Dr. Charles Leib addressed the Governor as follows:

Gov. REEDER:

In behalf of my fellow-citizens, permit me to welcome you to the West and to the young and beautiful Territory whose Executive you are.

It is but a few months since the passage of the Kansas and Nebraska bill; it is but a few months since the people of the West were told by one of their distinguished Senators, "the Indians have retreated; go over and possess the goodly land," and to-day Kansas is teeming with hardy, industrious, enterprising, strong armed men, with noble hearts and willing hands, who have come here to till the soil and to enjoy the fruits of their industry, to pursue their different callings and to assist in building up a State which will ere long be knocking at the door of Congress for admission into the confederacy, and which I trust will be recognized as the thirty-second in the bright constellation which graces the flag of our Union.

Gov. Reeder, we are rejoiced at your coming, rejoiced that you are among us, because we believe it will be your pride and pleasure, not only as the Executive, but as a citizen, to assist in giving Kansas a place in the front rank of the Territories.

You will, sir, find men here from every section of this Union, who have come to find homes, to assist in filling up our broad and beautiful prairies and our valleys, rich as that of the Nile. In your own language, they know that this is "the pathway to the Pacific;" they know that the vast frontier, New Mexico and California trade, which now flows into the lap of Missouri, legitimately belongs to Kansas; they know and feel that they have the energy to build up a State which will command the trade, and it will not be long until they will have accomplished their object.

We doubt not that in coming here you have sacrificed much; that you have left behind those to whom you are bound by the ties of consanguinity, affection and love; that you have left tried friends, personal

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and political, in whose hearts you have a place; that you have left a community to which you were attached by a residence of long years among them, but when duty called, like Cincinnatus, you obeyed.

As a Pennsylvanian, one who loves the hills and valleys, the rivers and plains of the noble old Keystone State, but who, in heart and interest, is a Western man, I, in common with my fellow-citizens, am rejoiced at your appointment, because we believe you will administer the affairs of this government upon strictly republican principles, because we know your antecedents; because we know that Pennsylvania, the home of Rittenhouse, of Fulton, of Franklin and of the able and accomplished Buchanan, "who has graced our annals abroad and done us honor in Kings' courts," and who is a statesman of the school of the fathers, would not send us a son unworthy of herself; because we believe that under your administration Kansas will grow and flourish; that her resources, agricultural and mineral, will be developed; that her commercial importance will be acknowledged by the whole nation; that her hardy sons will prosper, and will make this the garden spot of the Mississippi Valley.

We, sir, meet here on common ground. The men of Maine and Mississippi, of Massachusetts and Missouri, aye, and those who cross the blue waters of the broad Atlantic, who turn their backs upon the tyrants of the old world and place themselves under the protection of the flag of our Union, may enjoy the blessed privileges of free speech, dare think, do and act for themselves. This is true Republicanism and cannot fail to meet the approval of all who are truly American at heart. But a few months since the red man alone occupied this Territory; they roamed undisputed masters of the soil; but to-day in all parts of it, the hum of industry is heard, the progress of the age demanded its settlement, and, by the hearths and firesides of our hardy pioneers is to be joy, peace and happiness, and a determination to maintain, at all hazards, the supremacy of the law.

In conclusion, Gov. Reeder, let me again welcome you to Kansas, and express the hope, nay, the sincere wish, that our relation as Governor and governed may be of such a character that when it shall be severed, we can always revert to it as the happiest period of our lives, though it commenced when trampling down the nettles and thistles of Kansas and preparing it for its high destiny.

To which Gov. Reeder replied:

I thank you, sir, and those whom you represent on this occasion, for the cordial manner in which you have welcomed me to your Territory, and for the encomiums which you have so eloquently bestowed—encomiums which I must be allowed to say are attributable more to your own courtesy and partiality than to any merit of mine. Coming, as I do come, into a position of high and solemn responsibility in a strange land, to exercise most important functions among men who as yet know me not, you may well imagine that I am cheered and encouraged by the foreshadowing of confidence and kindness exhibited in this our first interview. I am sensible of the difficulties that may beset my official career, and I must rely on the friendship and kindly feeling which you have professed, for indulgence to my deficiencies. But, whilst I shall now claim in advance your leniency for my inexperience of your country and your people, for my shortcomings in wisdom and ability, I claim no margin, and ask for no indulgence, in respect to the earnestness and sincerity of my efforts, to make the great good of the Territory and the

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advancement of its substantial prosperity and welfare, the chief end of my official action.

It shall be my pride and pleasure, always to keep in view that single end, despite all sinister considerations or adverse circumstances. Our Territory is indeed a land of great interest and of glorious promise, and, although, now a frontier country demanding at our hands strong continued effort and no small privations, yet, we are cheered on by the conviction that another frontier is approaching us from the Pacific, and that when the inevitable destiny of this Union shall have filled up its limits with civilized population and thrifty enterprise, Kansas will be territorially the very heart of the Republic, and in the highway of its trade. Much of its progress, its prosperity and its future destiny will depend upon the impress that we shall make upon its early developments. That we shall have difficulties to meet and overcome, varied in their character and formidable in their number and extent, it were worse than folly to deny and conceal. Whatever they may be, however, there is no fear that they cannot all be solved by prudent care,—by tolerance and charity for difference of opinion among ourselves—by calm but unquailing moral courage in asserting our own rights of action or opinion—and by the most scrupulous care to avoid encroachment on the rights of others. First of all, Kansas must, and with God's help it shall be, a country of law and order. No man must be allowed to cast contempt upon the law—to unsettle the foundations of society, to mar our future destinies—to cause us to be shunned and avoided by good citizens—and to turn us upon the retrograde path toward barbarism, by substituting his own unbridled passions for the administration of justice, and by redressing his real and imaginary wrongs by the red and cowardly hand of assassination or the ruffianism of the outlaw. So far as it shall come within my province to deal with this spirit, I pledge you that I will crush it out or sacrifice myself in the effort. Every one of our millions of fellow-citizens who may choose to exercise his unquestionable right to plant himself, his family and his property on our soil, to swell its strength and develop its resources, must feel that the broad aegis of the law shelters him and his from outrage, and that its sword is keen and ready to punish him summarily and unfailingly, for outrage of the rights of others. We must, too, do our duty in cementing and preserving our glorious Union, by the strictest adherence to our constitutional and legal obligations, and a constant readiness to aid our fellow-citizens of other States, in securing to them all the rights which that constitution and those laws have sacredly guaranteed to them for the management of their own affairs, whilst at the same time, we must, with the most vigorous and determined firmness, preserve unimpaired and unquestioned, to every citizen of our Territory, freedom of opinion in the regulation of our own. The principle of the bill for erecting our Territory, I need scarcely tell you has my hearty approval. Fiercely as it has been assailed, it has its foundation deep in the doctrine of true republicanism. Under these doctrines the whole Union, North, South, East and West, has invited us to come here and mold our own institution, as to us it shall seem good. We have accepted the invitation, and with "POPULI VOCE NATA" on our banner, we are prepared to give one more proof of the ability of our people for self-government, by going to the ballot-box—there conceding to each other the right of free discussion and opinion which we claim for ourselves, and sacrificing to the all-powerful will of the majority, all our interests and feelings and prejudices, whatever question may be involved in the decision. Thus and thus only can we discharge our duty to ourselves—show our appreciation of the principle of our Territorial bill, and con-

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tribute to its permanency as a means of easy solution, for all future time, of a dangerous and exciting question in our National Councils.

Thus, with law and order reigning in our midst, mutual tolerance strengthening our hands and accelerating our progress—fanaticism disarmed and the Union sustained by a cheerful and determined observance of the constitution that binds it together—by preserving unimpaired the purity of the ballot-box and deciding there as freemen should, the questions which the nation has properly referred to it, each man calmly, fearlessly and dispassionately expressing his opinion and casting his vote in conformity to the dictates of his conscience and understanding and by bowing submissively to the will of the majority when properly ascertained, we shall have done our whole duty and may expect to reap its pleasant fruits.

Governor Reeder immediately opened the Executive offices at Fort Leavenworth, after which he proceeded in his duties in a deliberate manner. He seems to have taken no one completely into his confidence. It had been the expectations of the Pro-Slavery men that he would immediately call an election for members of the Territorial Legislature. The Governor saw no need for haste in that matter. He decided first to make a tour of the Territory. In view of what later developed it is certain that he intended at that time to make his future home in Kansas. He had accepted the position of Territorial Governor believing it would give him an opportunity to make profitable investments for himself and his Pennsylvania friends. Kersey Coates, of Chester County, that State, was already located at Kansas City. He was a fine business man, and was long one of the principal citizens of his adopted town. Robert T. Van Horn, another Pennsylvanian, had founded the *Kansas City Journal*. There were other Pennsylvanians at the mouth of the Kansas River, and it is more than probable that Governor Reeder consulted them as to his procedure in Kansas. And it was but natural that he should wish to explore the territory to some extent before he committed himself on many of the issues which were sure to arise. Of this period of his administration he later made a statement to the special Congressional Committee appointed to investigate the Kansas troubles in 1856. His experience between the date of his arrival and the date of this statement, no doubt influenced his review of the whole of his administration.

I landed at Fort Leavenworth on Saturday, the 7th day of October (1854), and made it my first business to obtain information of the geography, settlements, population and general condition of the Territory, with a view to its division into districts; the defining of their boundaries; the ascertainment of suitable and central places for elections, and the full names of men in each district for election officers, persons to take the census, Justices of the Peace, and Constables. In a very few days, I discovered that the procurement of this knowledge, in consequence of the newness of the population, was utterly impossible, by any other means than by a tour through the Territory. I found that, unlike most new Territories, the settlements of which cluster along a single line, the small population of Kansas was sparsely distributed over a surface of about 20,000 square miles. With some trouble, arising from the want of traveling facilities, I made the necessary arrangements, and,

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on the 14th of October, I left, with two of the Territorial Judges, Messrs. Elmore and Johnson, the District Attorney, Mr. Isaacs, the United States Marshal, Mr. Donaldson, and my private Secretary, Mr. Williams, for a trip into the interior, to procure the requisite information. The Secretary and Chief Justice had not then arrived in the Territory. I took in the route the payments of the Pottawatomie and Kansas Indians, where a large number of whites as well as Indians were assembled; and, having made full notes of all the information procured from Indians and whites, I completed my trip, and arrived at Fort Leavenworth on the 7th of November. I then saw that if the election for delegate to Congress (which required no previous census), should be postponed till an election could be had for legislature, with its preliminary census and apportionments the greater part of the session, which would terminate on the 4th of March, would expire before our congressional delegate could reach Washington; and I deemed it best to order an election for a delegate to Congress as early as possible, and to postpone the taking of the census till after that election. I was more convinced of the propriety of this course, by the fact that the common law and many of the United States Statutes were in force over the Territory, and could well be administered through the courts established by Congress, and the Justices whom I was authorized to appoint; and by the additional fact that whilst the citizens of Missouri were vehemently urging an immediate election of the legislature, the citizens of the Territory were generally of the opinion that no immediate necessity for it existed. I prepared, without delay, a division of the Territory into election districts, defined by natural boundaries, easily understood and known, fixed a place of election in each, appointed election officers for each poll, and ordered an election for congressional delegate, to take place on the 29th of November, 1854, and by the 15th of November my proclamations were issued, containing a description of the districts, with all the necessary information and forms.

In his tour of the territory, as reviewed above, he visited Fort Riley, Council Grove, Lawrence, and other important settlements of the Territory. He was tendered a reception at Lawrence, and his address on that occasion differed little from what he had said upon the occasion of his reception. His survey of the Territory occupied two weeks, when he returned to Fort Leavenworth. There he occupied himself with the matter of the election of a Delegate to Congress. His proclamation for the election was issued on the 10th day of November, 1854, and the election was set for the 29th of November. In his journey through the country he had selected points where the voters should meet. He divided the Territory into sixteen districts. In the schedule to his proclamation, these districts are described, and the places of election specified as follows:

SCHEDULE

List of Election Districts and Places of Holding Elections

First District.—Commencing at the Missouri State line, on the south bank of the Kansas River; thence along the south bank of said river to the first tributary or watered ravine running into the Kansas above the Town of Lawrence, thence up that tributary to the head thereof; thence in a direct line to the west side of ———— Rolf's house; and thence,

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by a due south line, to the Santa Fe road; thence by the middle of said road to the Missouri State line; and thence by said State line to the place of beginning.

Place of election, the office of Dr. Charles Robinson, in the Town of Lawrence.

Judges, Nathaniel T. Johnson, Oliver A. Hanscome, William Miller.

Second District.—Commencing at the mouth of Big Spring Branch on the south bank of the Kansas River; thence up said branch to its farthest source; thence by a southerly line, crossing the Wakarusa River on the east side of the house of Charles Mattingly, to the middle of the Santa Fe road; thence along the middle of said road to the line of the First District; thence by the same along the west side of the house of ——— Rolf to the head of the first tributary of the Kansas, above the Town of Lawrence; and thence by the said tributary to the Kansas River and up the south bank of said river to the mouth of Big Spring Branch, the place of beginning.

Place of election, house of Paris Ellison, in Douglas City.

Judges, Jonathan Cranmer, O. H. Browne, Andrew McDonald.

Third District.—Commencing at the mouth of Big Spring Branch, on the south side of the Kansas River; thence up the same to its furthest source; thence by a southerly line to the north bank of the Wakarusa River, on the east side of the house of Charles Mattingly; thence up said river and its main branch to the line of the Pottawatomie reservation; and thence by the southern and western line of said reservation to the Kansas River, and down the said river to the place of beginning.

Place of election, house of Thomas Stinson, in the Town of Tecumseh.

Judges, John Horner, L. D. Stateler, Anthony Wood.

Fourth District.—Commencing at the Missouri State line, in the middle of the Santa Fe road; thence along the middle of said road to Rock Creek, near the sixty-fifth mile of said road; thence south to the line of the late Shawnee reservation ceded by the treaty of 1854; thence due east along the south line of said reservation and the north line of the existing reservations of the Sacs and Foxes, the existing reservations of the Chippewas and Ottawas and the late reservations of the Piankesaws, Weas, Peorias and Kaskaskias to the Missouri State line; thence up the Missouri State line to the place of beginning.

Place of election, house of Dr. ——— Chapman.

Judges, Dr. ——— Chapman, James J. Powell, Joseph Barnard.

Fifth District.—Commencing at the Missouri State line, at the southern boundary of the Fourth District; thence east [west] along the same to the northwest corner of the Sac and Fox reservation; thence due south along the western line thereof and due south to the south branch of the Neosho River, about seventy miles above the Catholic Osage Mission; thence down the said river to the north line of the reserve for New York Indians, and east along said line to the head waters of Little Osage River, or the nearest point thereto; and thence down said river to the Missouri State line, and up said line to the place of beginning.

Place of election, house of Hy. Sherman, on the old John Jones improvement, on Pottawatomie Creek.

Judges, James Moore, John Van Horn, Thomas Polk.

Sixth District.—Commencing on the Missouri State line, in Little Osage River; thence up the same to the line of the reserve for the New York Indians, or the nearest point thereto; thence to and by the north line of said reserve to the Neosho River, and up said river and the south branch thereof to the head, and thence by a due south line to the southern line of the Territory; thence by the southern and eastern lines of said Territory to the place of beginning.

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Place of election, house of H. T. Wilson, at Fort Scott.

Judges, Thomas B. Arnott, H. T. Wilson, William Godefrey.

Seventh District.—Commencing at the east side of the house of Charles Mattingly, on the Wakarusa River; thence due south to the middle of the Santa Fe road; thence westwardly along the middle of said road to Rock Creek, near the 65th mile of said road; thence due south to the north line of the Sac and Fox reservation; thence along the north and west lines thereof, and due south to the Neosho River; thence up said river to a point due south of the mouth of Elm Creek; thence due north to the mouth of Elm Creek, and up said creek to the Santa Fe road, and thence by a direct line in a northerly direction to the southwest corner of the Pottawatomie reservation; thence along the southern line of said reservation to the head-waters of the Wakarusa River, or the point nearest thereto; thence to and down the said river to the place of beginning.

Place of election, house of Fry McGee at One Hundred and Ten-Mile Creek, on the Santa Fe road.

Judges, Fry McGee, S. W. Boughton, David Burge.

Eighth District.—Commencing at the mouth of Elm Creek, one of the branches of Osage River; thence up the same to the Santa Fe road; thence by a direct northerly line to the southwest corner of the Pottawatomie reservation; thence up the western line thereof to the Kansas River; thence up said river and the Smoky Hill Fork, beyond the most westerly settlements; thence due south to the line of the Territory; thence by the same to the line of the Sixth District; thence due north to the head of the south branch of the Neosho River; thence down said river to the line of the Seventh District; thence due north to the place of beginning.

Place of election, house of Ingraham Baker, on the Santa Fe road.

Judges, Thomas Hoffaker, Charles Withinton, Ingraham Baker.

Ninth District.—Commencing on the Smoky Hill Fork, beyond the most westerly settlements; thence down the same and to the Kansas River to the mouth of Wild Cat Creek; thence up said creek to the head-waters thereof; thence due north to the Independence emigrant road; thence up said road to the north line of the Territory; thence west along the same to the most westerly settlements; and thence due south to the place of beginning.

Place of election, house of Mr. Reynolds, near the crossing of Seven-Mile Creek.

Judges, Robert Wilson, Hannibal A. Low, Thaddeus K. Mills.

Tenth District.—Commencing at the mouth of Wild Cat Creek, thence up the same to the head waters thereof, thence due north to the Independence emigrant road; thence down said road, crossing the Big Blue by the old route below Marysville to the Vermillion River; thence down said river to the mouth thereof; thence up the Kansas River to the place of beginning.

Place of election, house of S. D. Dyer, at the crossing of the Big Blue River.

Judges, S. D. Houston, Francis Burgereau, S. D. Dyer.

Eleventh District.—Commencing at Vermillion River in the middle of the Independence emigrant road; thence up said river to the head of the main branch; thence due north to the northern line of the Territory; thence by the same to the middle of the Independence emigrant road; thence down said road, crossing the Big Blue by the old route below Marysville to the place of beginning.

Place of election, Trading house of Marshall and Woodward at Marysville.

Judges, William Givens, R. C. Bishop, S. M. B. Holmes.

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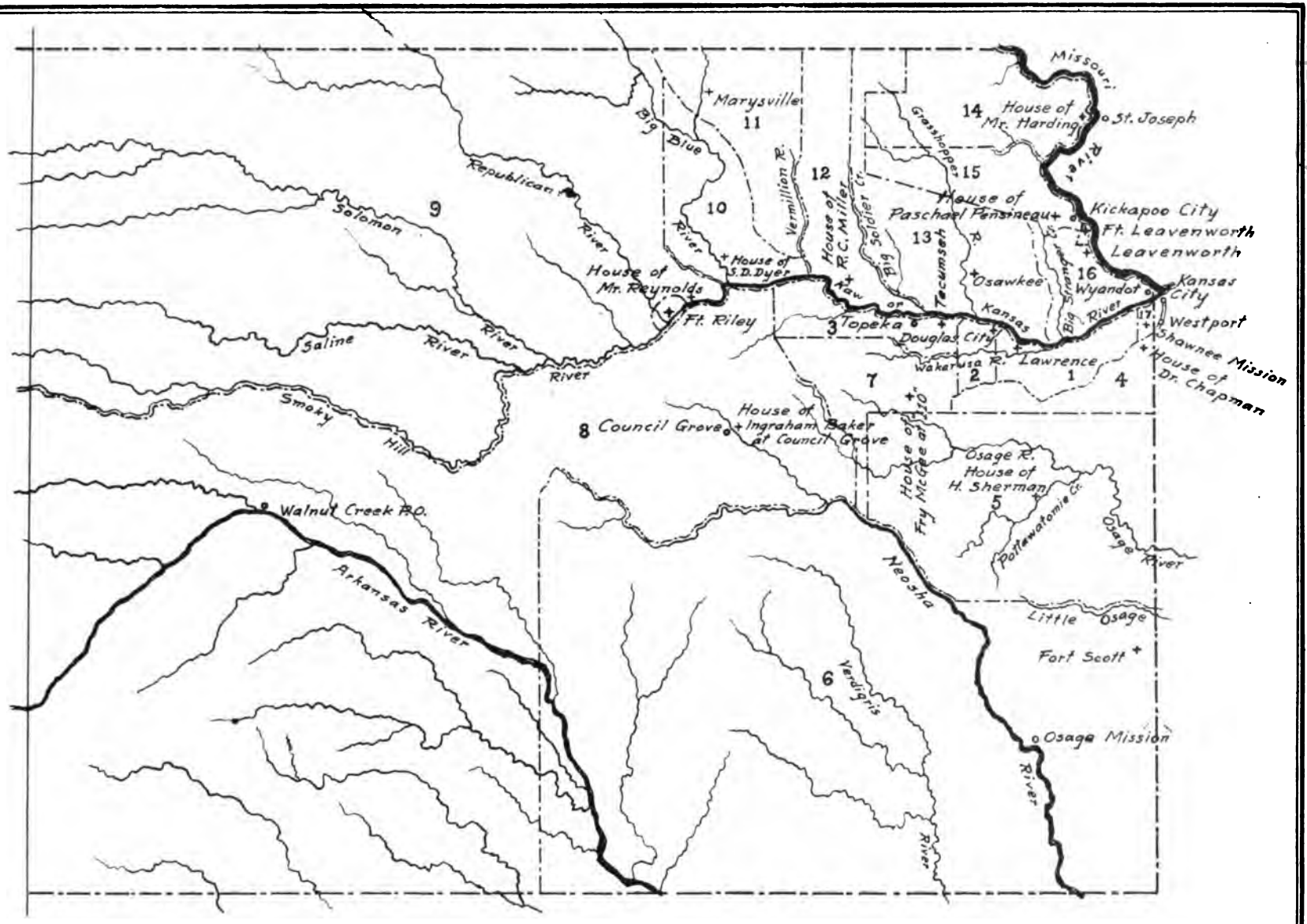

MAP OF EASTERN KANSAS IN NOVEMBER, 1854, SHOWING BOUNDARIES OF FIRST ELECTION DISTRICTS ESTABLISHED, PLACES OF VOTING ETC.

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Twelfth District.—Commencing at the mouth of Soldier's Creek; thence up said creek to the head of the main branch; thence due north to the northern line of the Territory; thence by the same west to the eastern line of the Eleventh District; thence south along the same to the head of the Vermillion River and down said river to the mouth thereof; thence down the north bank of the Kansas River to the place of beginning.

Place of election, house of R. C. Miller.

Judges, R. C. Miller, E. G. Booth, R. C. Wanton.

Thirteenth District.—Commencing in the Kansas River, three miles above the mouth of Stranger Creek; thence in a northwardly direction by a line three miles west of said Creek, and corresponding to the courses thereof until it shall strike the southern line of the late Kickapoo reservation; thence along the southern and western line of said reservation, and the western line of the late Sac and Fox reservation to the north line of the Territory; thence west along said line to the line of the Twelfth District; thence by the same and down Soldier's Creek to the mouth thereof, and down the Kansas River to the place of beginning.

Place of election, house of G. M. Dyer, at the town of Ozawkee.

Judges, W. H. Tibbs, G. M. Dyer, D. M. Railey.

Fourteenth District.—Commencing at the mouth of Independence Creek; thence up said creek to the head of the main branch, and thence due west to the line of the late Kickapoo reservation; thence north along said line and the line of the late Sac and Fox reservation to the north line of the Territory, thence along said line eastwardly to the Missouri River, and down said river to the place of beginning.

Place of election, the house of Benjamin Harding, on the St. Joseph and Oregon road.

Judges, J. W. Foreman, Benjamin Harding, and Samuel Irvin.

Fifteenth District.—Commencing at the mouth of Independence Creek; thence up said creek to the Military road, and along the middle of said road to the lower crossing of Stranger Creek; thence up said creek to the line of the late Kickapoo reservation, and thence along the southern and western line thereof to the line of the Fourteenth District; thence by the same, and down Independence Creek to the mouth thereof, and thence down the Missouri River to the place of beginning.

Place of election, house of Paschal Pensaneau, on the Fort Leavenworth and Oregon road.

Judges, H. B. Jolly, James Frazier, A. G. Boyd.

Sixteenth District.—Commencing at the mouth of Salt Creek; thence up said creek to the Military road; thence along the middle of said road to the lower crossing of Stranger Creek; thence up said creek to the line of the late Kickapoo reservation, and thence along the said line to the Thirteenth District, and thence by the same along a line corresponding to the courses of Stranger Creek, and keeping three miles west thereof, to the Kansas River; thence down the Kansas River to the Missouri River to the place of beginning.

Place of election, house of Keller & Kyle, in Leavenworth City.

Judges, D. Z. Smith, B. H. Twombly, J. M. Alexander.

In this same schedule, Governor Reeder defined the qualifications for suffrage at the election. These qualifications developed the difference between Governor Reeder's conception of what was necessary to be done in Kansas Territory, and what the Pro-Slavery party had determined upon as necessary. This did not appear at once, but the issue between the Governor and that wing of his party he was to deal with, and account to, was made. These qualifications were as follows:

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Qualifications of Voters

By the Territorial Bill it is provided as follows:

That every free white male inhabitant above the age of twenty-one years, who shall be an actual resident of said Territory, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election; *Provided,* that the right of suffrage and of holding office, shall be exercised only by citizens of the United States, and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States and the provisions of this act; *And Provided further,* that no officer, soldier, seaman or marine, or other person in the army or navy of the United States, or attached to troops in the service of the United States, shall be allowed to vote or hold office in said Territory, by reason of being on service therein.

The requisites of age and color are easily understood. That of residence is well defined in the law, and means the actual dwelling or inhabiting in the Territory, to the exclusion of any other present domicile or home, coupled with the present *bona fide* intention of permanently remaining for the same purpose.

When a voter is not a native of the United States, the proof of his right to vote must be the production of his certificate of his naturalization; or of his declaration of intention under the seal of the court, and the want of it cannot be supplied by his oath.

In case he has only declared his intention to become a citizen, he must then be sworn by the judges or a Justice of the Peace to support the Constitution of the United States and by the provisions of the "Act of Congress, approved May 30, 1854, to organize the Territories of Nebraska and Kansas." When this latter oath is administered, the word *"oath"* should be marked opposite his name on the list.

The meaning of the last proviso, relative to the army and navy is, that the persons designated in it shall not vote if their presence in the Territory is referable only to the performance of their duties, and the obedience of orders. The officer or soldier who would vote here, must have a residence here (the meaning of which is already explained), irrespective and independent of his presence here under orders.

It is perhaps unnecessary to say that every voter can vote only in his own district.

Three candidates for Delegate to Congress presented themselves for the suffrage of the Territory at this election. General J. W. Whitfield, a resident of Jackson County, Missouri, and agent of the Pottawatomie Indians, was the man favored by the Pro-Slavery party. Honorable Robert P. Flenneken had come out from Pennsylvania with Governor Reeder expressly to be elected Delegate to Congress at this time. He had no other business in the Territory, and supposed that with the influence of Governor Reeder to back him, he would have little trouble in securing the office. He was disappointed when he failed to become the Democratic nominee, and was compelled to run as an independent candidate. Honorable John A. Wakefield, Chief Justice of the Mutual Settlers' Association of Kansas Territory, became the Free-State candidate. There was no great interest developed in this election. The people were not so much interested in their representation in Congress, as in local matters. The settlers had only recently come into the Terri-

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tory, and there had been no time for the formation of any common mind on any subject. The issue of slavery was not generally discussed. Contrary to what might have been expected, people coming in under the auspices of the Emigrant Aid Company did not support the Free-State candidate, but were in favor of the election of Mr. Flenneken on the ground that his election would be in the interest of business development.

The Pro-Slavery people devised a meeting which developed a test of the position of Governor Reeder, toward the Price-Atchison idea of dealing with Kansas. This meeting was held at Leavenworth on the 14th of November. A Memorial was drawn up and a committee appointed to present it to the Governor. This Memorial has not been preserved, but its nature may be determined from the reply made to the committee by Governor Reeder, which is here set out.

FORT LEAVENWORTH, KANSAS TERRITORY, NOVEMBER 21, 1854.

To F. Gwinner, D. A. N. Grover, Robert C. Miller, William F. Dyer and Alfred Jones, Esqrs., Committee:

Gentlemen:—On the 16th inst. you called on me in the capacity of a committee claiming to represent and speak for a meeting of citizens of Kansas Territory, held the preceding day at Leavenworth City, and presenting me your memorial in behalf of that meeting. The memorial commences with the statement that you are acting under a resolution of such meeting and ends by "urgently pressing" me to "comply with the wishes of those by whom we were appointed."

Finding that you did not come as individual citizens, acting for yourselves, but as the representatives of others, I took the ground that it was necessary and proper for me to know *whom* you represented, and that I must have a copy of the proceedings of the meeting which appointed you. Your chairman seemed at first to think that was unnecessary. I replied that it was very obviously necessary I should know by the only authentic evidence, that you had been appointed and by whom; and I further stated that unless the proceedings were furnished I should not consider myself bound to notice your memorial. You then agreed to furnish them. I waited their coming until last evening, when I received from the post office a communication from you, dated the 17th inst., but with no postmark to inform me when it was mailed. This communication declines to furnish the proceedings of the meeting—professes to give the reasons for the refusal—contains the very deliberate enunciation of some inherent rights of the people of Kansas, which no one would ever think of questioning, and some other propositions which must, in a confusion of correspondence have got into that letter by mistake, as I have been utterly unable to discover how they were connected with the subject of discussion; and again requests that my answer to your memorial be made known to you and those "whose organ you have the honor to be." The reasons you give may be briefly stated. First, you say, that some of you at least are "recognized inhabitants" of Kansas, and asserting your own character as honorable men, you claim that I should have endorsed your own opinion on that head by taking your allegation of the facts instead of asking for the usual and natural evidence of them. Secondly, That the people of Kansas have a right to make known their wishes to the executive without putting them in writing, or organizing any meeting for that purpose. To the latter, I have only to say, that I admit cheerfully the proposition it contains, but I am at a loss to understand what possible

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bearing it has upon the question whether I am entitled to have a copy of the proceedings of this meeting which has been held, and an extract from which you profess to give. As to the first reason, passing over the indelicacy of gentlemen putting their personal character unnecessarily and improperly in issue, and demanding of me who never impugned or impeached it, that I should dispense with the forms and vouchers which the occasion demanded, by adopting in lieu thereof, any estimate of that character whatever, and especially one made by yourselves, as the basis of my official action, I beg leave to remind you that you are requiring more than this, and with signal modesty, demand that I should surrender my judgment to yours, and if you should be of opinion that the meeting who sent you was composed of "citizens of Kansas," I should take for granted that you are infallible, adopt your conclusions, and consider it unnecessary to judge for myself. Doubtless this would save a vast deal of trouble, and, if I could take your infallibility for granted, it would leave me but little to do, but to register your decrees. That, however, is not my mode of doing business, and although I seek the opinions and suggestions of others, I prefer to judge for myself. There is another very singular aspect of this reason of yours. Without inquiring of me what I intended to do in relation to an election of members of the Legislature, you attract public attention by assembling a meeting, and after a speech appropriate to the design of the meeting, a committee is formally appointed to prepare a grave and diplomatic memorial to quicken me in the performance of my official duty, and when you have made the affair thus public, precise and ceremonious, so far as it is calculated to cast censure on my judgment and fidelity, you modestly insist that all the residue of the proceedings shall be as informal as you choose to make them, and whilst you by your actions are censuring me, I shall be required in the same transaction to recognize you as men who cannot possibly err in motive or in judgment. These rules of logic and equity I have never learned; and I think, gentlemen, that to you belongs the merit of their discovery.

Your reasons being thus disposed of, allow me to repeat, you come to me as the agent of others, whom you allege are citizens of Kansas, and therefore entitled to a reply. I ask for a copy of the proceedings in order that I may be satisfied as to that fact. You peremptorily refuse to give them. By all the rules of common sense, common courtesy and common justice, I would be justified in refusing to notice your communication, as I had once resolved to do. I have, however, changed my mind, and will proceed to state some facts within the knowledge of the whole public in this vicinity (who will decide between us if we disagree), and which I should have proven almost entirely by your own evidence had you not, from the pinching exigencies of the case, been compelled to refuse a copy of the proceedings.

The meeting was not of the citizens of Kansas, as your proceedings will show if you will produce them. It was a meeting composed mainly of the citizens of Missouri and a few of the citizens of Kansas. Your own body, whom I am now addressing, contains two undoubted residents of Missouri, one of whom is your Chairman, who resides with his family in the town of Liberty, Mo., as he has done for years, and whose only attempt at a residence in Kansas consists of a card nailed to a tree, upon ground long since occupied by other settlers, who have built and lived upon the claim. The President of your meeting was Maj. John Doughearty, a resident and large land-holder in Clay County, Mo., as he has stated to me since the meeting, and will not hesitate to state again, as he is a highminded, honorable man, above all concealment or disguise.

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The gentlemen principally composing your meeting came from across the river, thronging the road from the ferry to the town, on horseback and in wagons, in numbers variously estimated by different persons at two hundred to three hundred, and after the meeting was over they returned to their homes in the State of Missouri. These are facts notorious here, as any public occurrence can be, and every man who had eyes to see and ears to hear is cognizant of them.

They were the subject of much remark and the cause of deep dissatisfaction, and even on the ground in the meeting and in reply to the speech of your Chairman, who was chief spokesman of the occasion, this invasion of our Territory was loudly complained of by some of the outnumbered citizens of Kansas, and has frequently since been made the subject of indignant complaint to me. Such is the meeting from which you derive authority, and such the title by which you assume to interfere in the regulation of our affairs. Few men, with all the facts before them, would be hardy enough to say that the assumption is entitled to any respect. The law guarantees to us the right to manage our own affairs. It is the great, much discussed feature of our Territorial Government, and one which our people highly prize, under the pledges of which the inhabitants of the Territory have come and staked their future fortunes on our soil.

The pledges of that law must be redeemed, and it is a poor and pitiless boon to have escaped from the domination of Congress if we are only to pass under the hands of another set of self-constituted rulers, foreign to our soil and sharing none of our burdens, no matter what may be their virtues or their worth as men and citizens at home. It may be very desirable for gentlemen to live among the comforts of the States, with all the accumulated conveniences and luxuries of an old home, and make an occasional expedition into our Territory to arrange our affairs—instruct our people and public officers and control our government—but it does not suit us, and I much mistake the people of this Territory if they submit to it. One thing I am certain of, that, having sworn to perform the duties of the office of Governor with fidelity, I shall denounce and resist it in friend or foe, and without regard to the locality, the faction or the "ism" from which it comes.

This much the citizens of Kansas have a right to demand at my hands, and to fail in it would be the boldest dereliction of official duty. We believe that we are competent to govern ourselves, and as we must bear the consequences of our own errors and reap the fruit of our own decisions, we must decline any gratuitous help in making them.

We shall always be glad to see our neighbors across the river as friends and visitors among us, and will endeavor to treat them with kindness and hospitality. We shall be still more pleased if they will abandon their present homes and dot our beautiful country with their residences to contribute to our wealth and progress, but until they do the latter we must respectfully but determinedly decline to allow them any participation in regulating our affairs.

When that is to be done, we insist that they shall stand aside and permit us to do the work ourselves.

This, gentlemen, with due respect for you personally, is the only reply that I shall give to the suggestion in behalf of your meeting relative to the time and manner of taking our census and holding our election.

Your obedient servant,

A. H. REEDER.

General Whitfield declared himself on the issue of the day at a meeting in Leavenworth. The convention which presented the Memorial

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to Governor Reeder assumed to itself the authority to nominate a candidate for Delegate to Congress. Of such authority it had none, and its proceedings were entirely irregular. Its actions could be binding on no one. It did, however, eliminate all the Pro-Slavery candidates except General Whitfield. His declaration, made in the meeting, amounted to a platform and was reported in the *Kansas Herald* as follows:

Gen. Whitfield, candidate for delegate to Congress from Kansas Territory, addressed quite a large assemblage of the people from the stump, in this place on Wednesday last. He was listened to with marked attention by a great crowd who had been brought thither by the call for a convention to nominate a candidate.

Gen. Whitfield said in becoming a candidate, he did so upon his own hook, without the urgent solicitation of friends, or the aid and authority of a convention. He was a candidate and should remain so until the evening of the day of election, independent of a convention or nomination. He said he was a free man, and should submit only to the will of the majority of the people as expressed at the ballot box.

He declared himself the firm and unwavering friend of the squatter, and in favor of extending to every settler on the public lands a preemption. He was in favor of so modifying the Delaware Treaty as to secure a preemption to every settler on the Delaware lands. He would use all the influence in his power to make said change in the treaty; and he thought his connection with the Indians and the Indian Department, together with the personal relations existing between himself and heads of Departments, the President, the editor of the Washington *Union,* and many members of Congress, would enable him to do as much as any man to effect this desirable object. He said the treaty could and would be changed, that he had always opposed it, and had told Mr. Manypenny, when he was first informed the Delaware Treaty was made, it could never be carried into effect. He condemned it then, and his opinions were not now manufactured for this race. He said he had encouraged settlers to go upon the Delaware lands, and believed they would never be disturbed.

Among his other duties, if elected, he said, he should endeavor to have mail routes established wherever they were needed. He was a railroad man, but did not believe that anything in that line could be accomplished, for Kansas Territory, at this short session of Congress.

He advocated the principles of the Kansas bill, and believed that the people alone should settle the question of slavery for themselves. The bill gave them this power, and had taken the question from the halls of Congress, and placed it where it properly belongs.

Gen. Whitfield, in conclusion, said he had nothing to do with the convention, knew nothing of its origin, believed it did not come from the settlers, and he should not abide the action of the convention. He was before the sovereigns, and it was with them to do as they pleased with him on the 29th of November.

The above is about the substance of the remarks of Gen. Whitfield, as we remember them. We took no notes of his speech at the time. His remarks, we believe, were generally well received. It is said that he will be a formidable competitor in the race.

It was the actions of this convention which made it necessary for Mr. Flenneken to become an independent candidate. He issued a statement to the qualified voters of Kansas Territory through a committee, in which it was said for him:

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To the Qualified Voters of Kansas Territory:

In view of the election to be held in the Territory on the 29th instant, for delegates to the House of Representatives of the United States, the undersigned, a committee of the numerous friends of the Hon. Robert P. Flenneken, offer him as a candidate for the said office, and announce some of the reasons why, in their opinion, he should be supported.

Mr. Flenneken has been, heretofore, a citizen of Fayette County, in the State of Pennsylvania, where he has been for many years a consistent, sound and National Democrat—a citizen of the highest moral and social standing, and a lawyer of distinguished reputation and successful practice. He was formerly a member of the Legislature of Pennsylvania, and, under the appointment of President Polk, a Representative of the United States at the Court of Denmark, where he attained much reputation by the ability and fidelity with which he discharged his duties. He has settled in the Territory with the intention of making it his future permanent residence, and his family are preparing to follow him.

His general intelligence—his sound and reliable prudence and good sense—his clear and comprehensive intellect—his legal knowledge—his general and favorable acquaintance with the members of Congress and the public men attached to the National Administration, give us the surest guarantee that he will make a most useful, efficient and valuable Delegate, in whose hands the important interests of the Territory will be well taken care of, and to whom we may confidently look for procuring the appropriations for military roads and bridges, public buildings, geological survey, the modification of Indian treaties and for adjusting the many post routes and post offices throughout the Territory.

Some persons, we regret to say, are making an effort to introduce into this election the question of free and slave labor, and to array the advocates of each against the other, and in favor of different candidates. We cannot see the necessity or propriety of agitating this question at this time. A Delegate in Congress will have no duties to perform connected with it in any way, and should be elected only with an eye to his value, efficiency and influence in procuring the legislation which we so much need to advance the prosperity and improvement of the Territory. The man who can best do this should be elected without reference to his views on other questions. Mr. Flenneken does not run as a candidate upon this issue, and we do not place him before the people on that ground. The weakness of the Territory requires that all citizens upon both sides of that question should stand side by side and work in harmony, concert and good feeling, to advance the progress of our Territory, with the greatest possible rapidity. It will be time enough to make issue upon the question of slavery, when it shall come up for decision; and it would inflict a deep injury upon our interests to elect a Delegate to Congress upon this issue, no matter which party should succeed, as it would immediately array against him the members of Congress who should differ in opinion from the successful party—whereas if our Delegate is elected without raising the question, we shall not excite in Congress the opposition of the other party, and it will be comparatively easy to obtain what the wants of the Territory require.

We may add that the best evidence of our sincerity is, that we ourselves are divided in opinion upon the question—some of us being anti-slavery men and some pro-slavery men, whilst we are, nevertheless, united in the support of Mr. Flenneken. We believe him to be the man whom the Territory needs for the office—the man who can best advance its interests in Washington—and, from all the information we can receive, the man who will be strongest before the people at the polls, and whom

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the majority of them desire, and we therefore recommend him for your support.

B. H. TWOMBLY,
H. B. JOLLY,
J. M. ALEXANDER,
WM. A. HAMMOND,
K. COATES,
R. H. HIGGINS,
M. F. CONWAY,
ROBERT RIDDLE,
DAVID Z. SMITH,
CHARLES LEIB,
J. P. RICHARDSON,
Committee.

NOVEMBER, 18, 1854.

It will be seen that the name of Mr. Coates, of Kansas City, Missouri, appears as one of the committee. The appeal would have been very appropriate in some precinct in Pennsylvania, but was impotent on the frontier in a battle to the death between slavery and Freedom. The supporters of Mr. Flenneken did not know the real condition of affairs, and were at a disadvantage. Those representing the slavery interests knew exactly what they wanted and intended to have. They determined to have none of Mr. Flenneken's help in Kansas. On the 25th of November there appeared in the *Kansas Herald* a counter-statement signed by the friends of Whitfield, among them F. Gwinner, A. Russell, M. Pierce Rively, H. D. McMeekin, R. M. Deavenport, D. A. N. Grover, James N. Burnes, William F. Dyer, James Brooks, Robert C. Miller, M. Clark, George Perian, C. H. Grover, A. Payne, James W. Rich, Thomas S. Owens, E. G. Booth, A. H. Scott, N. T. Shaler, and Thomas Johnson. It was an appeal *"To The Freemen of Kansas"* whom it warned, urging voters to be on their guard. The statement charged that Mr. Flenneken was relying upon the Abolition vote of the Wakarusa settlement for his election, which was in a measure true, as he was supported by Dr. Charles Robinson, agent of the Emigrant Aid Company. The paper closed with a statement of the qualifications of Whitfield, and its publication ended the chances of Mr. Flenneken for political preferment in Kansas.

In its issue of November 24th, the *Kansas Herald* contained an account of the visit of John A. Wakefield to Leavenworth. He had delivered an address to the citizens of that town. The account of Mr. Wakefield's visit is given.

Mr. Wakefield arrived in our town yesterday, and, after a short notice, a respectable number of our citizens assembled to hear him speak. He addressed them in a few remarks, defining his position in favor of changing the Delaware treaty so as to give every man a preemption, and dwelt upon its injustice. He was in favor of liberal appropriations for making roads, and for improving the navigation of the Kansas River, and for creating a liberal fund for education, and for granting a homestead to every settler. He was against agitating the slavery question at this time, as the Delegate could have no vote upon the question. He

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was born in South Carolina and raised in Kentucky; had lived in free States and been a pioneer all his life; had held many offices of public trust; was acquainted with many of the Western members of Congress, and believed he could exercise an influence with them; that he was in favor of this being a free State; was a free-soiler, and opposed to abolitionism and free negroes settling in this Territory. He said he was an actual resident of the Territory, with his wife and children around him, and doubted whether either Gen. Whitfield or Mr. Flenneken could claim a *bona fide* residence in Kansas. He said he had canvassed a large portion of the Territory; was satisfied that the race was between him and Gen. Whitfield and that one or the other of them must be elected; that no other person would be in the way. "Now," said he, "choose whom you will have."

This is the substance of the remarks. We have no room for comment. The people now have the opinions of the candidate; they can judge for themselves.

Of the candidates, it may be said, that John W. Whitfield was certain to receive the slavery vote, although he had not, in his speech, raised the slavery issue. Mr. Flenneken had aroused the bitter opposition of the element supporting Whitfield. He was a bolter, refusing to abide by the result of the nominating convention. The slavery vote saw the opportunity to show its opposition to the course of Governor Reeder, who was scourged over the shoulders of Flenneken. Judge John A. Wakefield was a bluff, hearty, honest, frank, out-spoken, anti-slavery man. He was the only candidate taking an honest position, and should have been elected Delegate to Congress. It was not to be expected that the election would be held without some voice being heard from Missouri. In anticipation of what might come to pass in Kansas, Senator Atchison had addressed the people of Platte County, Missouri, at Weston, November 6, 1854. What he said may be taken as an expression of the intentions of the rabid slavery element toward Kansas in the coming election, and thereafter. As reported by the *Platte Argus,* the speech was as follows:

He would now pass to the settlement of Kansas, its destiny and the effect it was to have upon the State of Missouri.

The organic law of the Territory vests in the people who reside in it the power to form all its municipal regulations. They can either admit or exclude slavery; and this is the only question that materially affects our interests.

Upon this subject it would be unnecessary for him to say one word, if things had been left to their ordinary and natural course. Men heretofore migrated and settled new Territories upon this continent, from the Atlantic to the Pacific Ocean, following the parallels of latitude, and carrying with them their habits, customs and institutions. But now new laws are to govern; new lines, new habits, customs and institutions are to be substituted, and that, too, by the force of money and organization.

The North is to be turned to the South, and all the Territories of the United States to be abolitionized; colonies are to be planted in all places where slavery and slave institutions can best be assailed; and Kansas is now a favorite position, from whence they can now assail Missouri, Arkansas and Texas. Men are being sent from Massachusetts and elsewhere for the avowed purpose of excluding slave-holders from Kansas,

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and, as a matter of course, to seduce, steal and protect fugitive slaves. The first thing, however, they have to do is to throw into Kansas a majority of votes to control the ballot boxes.

This is the policy of the abolitionists. These means are used by them. Their money and all other influences they can bring to bear are to be exerted for this purpose.

Gen. Atchison said that his mission here today was, if possible, to awaken the people of this county to the danger ahead, and to suggest the means to avoid it. The people of Kansas, in their first elections, would decide the question, whether or not the slaveholder was to be excluded, and it depended upon a majority of the votes cast at the polls. Now, if a set of fanatics and demagogues, a thousand miles off, could afford to advance their money and exert every nerve to abolitionize the Territory and exclude the slave-holder, when they have not the least personal interest in the matter, what is your duty? When you reside within one day's journey of the Territory, and when your peace, your quiet and your property depend upon your action, you can, without an exertion, send 500 of your young men who will vote in favor of your institutions.

Should each county in the State of Missouri only do its duty, the question will be decided quietly and peaceably at the ballot box. If we are defeated, then Missouri, and the other Southern States will have shown themselves recreant to their interests, and will have deserved their fate. The abolitionists will have nothing to gain or lose. It is an abstraction with them. We have much to gain and much to lose.

Said he, "If you burn my barn, I sustain a great loss, but you gain nothing. So it is with the colonizationist societies and the dupes they send to abolitionize Kansas.

"If these abolitionists steal your negroes, they gain nothing. The negroes are injured; you are ruined. So much greater is the motive for activity on your part.

"Fellow citizens, we should not be apathetic when so much is involved. We should be up and doing." He was for meeting organization with organization. He was for meeting those philanthropic knaves peaceably at the ballot-box and outvoting them.

If we cannot do this, it is an omen that the institution of slavery must fall in this and the other Southern States, but it would fall after much strife, civil war and bloodshed.

If abolitionism, under its present auspices, is established in Kansas, there will be constant strife and bloodshed between Kansas and Missouri. Negro stealing will be a principle and a vocation. It will be the policy of philanthropic knaves, until they force the slave-holder to abandon Missouri; nor will it be long until it is done. You cannot watch your stables to prevent thieves from stealing your horses and mules; neither can you watch your negro quarters to prevent your neighbors from seducing away and stealing your negroes.

If Kansas is abolitionized, all men who love peace and quiet will leave us, and all emigration to Missouri from the slave States will cease. We will go either to the North or to the South. For himself, he could gather together his goods and depart as soon as the most active among us. He had neither a wife or child to impede his flight. In a hybrid State we cannot live; we cannot be in a constant quarrel—in a constant state of suspicion of our neighbors. The feeling is entertained by a large portion of mankind everywhere.

Yet, he said, he was willing, notwithstanding his pacific views, to hang negro thieves; he would not punish those who merely entertained abstract opinions; but negro thieves, and persons who stirred up insub-

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ordination and insurrection among our slaves, he believed it right to punish, and they could not be punished too severely; he would not punish a man who believed that rape, murder or larceny was abstractly right; yet he would punish the man who committed either.

He said that there were a few men who entertained those opinions in the western part of the State of Missouri, and who, no doubt, practiced upon them, and that when full evidence was obtained, justice should be done them. Convincing evidence must be had. He was opposed to violence—indiscriminate violence, but let the punishment fall on the guilty.

Was it not strange to find, in a State so deeply interested in the question of slavery, a portion of the press denouncing such men as Douglas, Cass, Bright and others, and exulting over victories lately obtained by the Abolitionists in the Northern States? Yet, it was so. As to slanders and abuse heaped upon himself, he cared but little. It was the fate of better men. But a day of reckoning will come. There will be a reaction in the Northern States. The people of the North cannot be in favor of dissolving the Union.

He had always had great confidence in the intelligence and virtue of the people, but he acknowledged that this confidence had been somewhat shaken in late years.

He again told the audience that, to succeed in making Kansas a slave Territory, it was not sufficient for the South to talk, but to act; to go peaceably and inhabit the Territory, and peaceably to vote and settle the question according to the principles of the Douglas bill.

In the Western counties of Missouri, preparations were made to invade Kansas and vote at the election. Companies were organized and they came over into Kansas on the 28th of November, bringing with them provisions and camping outfits. It was decided before they left home to what point they should proceed for the purpose of voting. It is established that they appeared at the polls in such numbers that the legal voters of the Territory, as defined and qualified by Governor Reeder, were completely overwhelmed. They took possession of the polls of many of the precincts, selected their own Judges and Clerks of election, and voted unanimously for General Whitfield. The result of the vote was as follows:

Whitfield	2,258
Flenneken	305
Wakefield	248
Scattering	22
Total vote	2,833

It was entirely unnecessary for the Missourians to invade Kansas to carry this election. There is little doubt that Whitfield would have been elected if they had remained at home. He would have received a majority of the legal vote. This election was the first revelation to the people of the country of what slavery had determined to do in regard to Kansas. It was fully revealed that no violence would be neglected to insure the victory to slavery. Knowledge of the outrageous conduct of the Missourians soon spread all over the United States.

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What had been done in Kansas aroused the North. The South had already been aroused over the organization of the Emigrant Aid Society. It was evident that precautions had been taken in the South, the effects of which, appeared at the polls in this election. Governor Reeder was placed in opposition to the policy of his party as that policy was formulated in Western Missouri. It was clear that he would be the object of the wrath of the people of his own party. The Democracy of Pennsylvania did not fit the frontier, being altogether too mild for the work demanded to be done there.

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CHAPTER XX

ELECTION OF THE LEGISLATURE

Governor Reeder was much disappointed by the course of affairs up to the election of the Delegate to Congress. After that election it was plain to him that he would not be able to satisfy his own conscience and the Pro-Slavery element of his own party in the administration of affairs in Kansas Territory. It is to his credit that he was not swerved from his course in the performance of his duties by what had taken place. He began to make plans for the election of the Territorial Legislature, and these plans revealed the fact that he had not, at that time, given up the idea of making his home in Kansas.

It was necessary to secure a census of the actual settlers in the Territory as a basis of apportionment for members of the Legislature. This enumeration of the inhabitants of the Territory was made during the months of January and February. An abstract of the census returns is here given:

CENSUS OF KANSAS TERRITORY—JANUARY AND FEBRUARY, 1855

No. of District	By Whom Taken	Males	Females	Voters	Minors	Natives of United States	Foreign born	Negroes	Slaves	Total
1	C. W. Babcock	633	339	769	459	887	75	7	...	962
2	O. H. Brown	316	203	199	237	506	19	1	7	519
3	T. W. Hayes	161	91	101	112	215	12	...	6	252
4	O. B. Donaldson	106	71	47	97	169	2	1	1	177
5	William Barbee	824	583	442	724	1,355	22	27	26	1,401
6	William Barbee	492	318	253	418	791	12	11	11	810
7	J. B. McClure	82	36	53	50	117	1	1	1	118
8	J. B. McClure	56	27	39	28	76	7	13	10	83
9	M. F. Conway	61	25	36	31	66	12	14	3	86
10	M. F. Conway	97	54	63	61	108	23	...	...	151
11	B. H. Twombly	33	3	24	5	30	6	...	...	36
12	B. H. Twombly	104	40	78	35	109	37	1	7	144
13	H. B. Jolly	168	116	96	145	273	9	14	14	284
14	Albert Weed	655	512	334	.....	301	46	1	35	1,167
15	H. B. Jolly	492	381	308	448	846	16	15	15	873
16	Charles Leib	708	475	385	514	1,042	104	48	33	1,183
17	Alexander O. Johnson	91	59	30	54	143	5	4	23	159
18	B. H. Twombly	59	40	28	51	97	1	...	...	99
	Totals	5,128	3,383	2,905	3,469	7,161	408	151	192	8,601

The winter of 1854-55 was unusually mild and pleasant. There was little rain or snow. The sun shown brilliantly day after day. The people began to speak of the Territory as "Sunny Kansas," a name which still clings to the State. Settlers came into the Territory by wagon all winter. Those who had previously arrived, engaged themselves in fencing their claims, building their cabins and making preparations to plant crops the coming year.

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It will be seen that there had been a remarkable growth of population in the Territory. The census was completed and tabulated in less than a year after the passage of the Kansas-Nebraska bill. It has already been noted that at that time there were not to exceed fifteen hundred white people in Kansas Territory, including soldiers. There had come in during the first ten months more than eight thousand people, all of whom intended to make Kansas their future home. This census was taken by the districts which Governor Reeder had created before the election for Delegate to Congress. The members of the two branches of the Legislature were to be apportioned to these districts. The upper house of the Legislature, the Council, was to be composed of thirteen members. The House of Representatives was to have twenty-six members—the two houses constituting the Legislative Assembly provided in the Enabling Act. Reference to the table will show that there were two thousand nine hundred and five voters in the Territory, and the ratio of representation was two hundred and twenty-three votes to a councilman and one hundred and eleven votes to a member of the House of Representatives.

The Council Districts, as set up by Governor Reeder, were as follows:

The First, Fourth and Seventeenth Election Districts, containing four hundred and sixty-six voters, shall constitute the First Council District, and elect two members of the Council.

The Second Election District and so much of the Thirteenth as is embraced in the Kansas Half-breed lands, containing two hundred and twelve voters, will constitute the Second Council District, and elect one member of Council; and the voters thus detached from the Thirteenth will vote at the place of election fixed for the Second Election District.

The Third, Seventh and Eighth Election Districts, containing one hundred and ninety-three voters, will constitute the Third Council District, and elect one member of Council.

The Fifth Election District, containing four hundred and forty-two voters, will constitute the Fourth Council District, and elect two members of Council.

The Sixth Election District, containing two hundred and fifty-three voters, will constitute the Fifth Council District, and elect one member of Council.

The Ninth, Tenth, Eleventh and Twelfth Election Districts containing two hundred and one voters, will constitute the Sixth Council District, and elect one member of Council.

The Wolf River precinct and Doniphan precinct, of the Fourteenth, the whole of the Eighteenth, and so much of the Fifteenth Election District as lies north of Walnut creek and its main branch and a due west line from its source, containing two hundred and forty-seven voters, shall constitute the Seventh Council District, and elect one member of Council; and the voters who are thus detached from the Fifteenth will vote at the Doniphan precinct.

The Burr Oak precinct, of the Fourteenth District, containing two hundred and fifteen voters, will constitute the Eighth Council District, and elect one member of Council.

The residue of the Fifteenth Election District, containing two hundred and eight voters, will constitute the Ninth Council District, and elect one member of Council.

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The Sixteenth and residue of the Thirteenth Election Districts, containing four hundred and sixty-eight voters, will constitute the Tenth Council District, and elect two members of Council.

REPRESENTATIVE DISTRICTS

The Seventeenth and Fourth Election Districts, containing ninety-seven voters, shall constitute the First Representative District, and elect one member.

The First Election District, containing three hundred and sixty-nine voters, shall be the Second Representative District, and elect three members.

The Second Council District shall be the Third Representative District, and elect two members.

The Third Election District, containing one hundred and one voters, shall be the Fourth Representative District, and elect one member.

The Seventh and Eighth Election Districts, containing ninety-two voters, shall be the Fifth Representative District, and elect one member.

The Sixth Election District shall be the Sixth Representative District, and elect two members.

The Fifth Election District shall be the Seventh Representative District, and elect four members.

The Ninth and Tenth Election Districts, containing ninety-nine voters, shall be the Eighth Representative District, and elect one member.

The residue of the Thirteenth Election District, containing eighty-three voters, shall be the Tenth Representative District, and elect one member.

The Seventh Council District shall be the Eleventh Representative District, and elect two members.

The Eighth Council District shall be the Twelfth Representative District, and elect two members.

The Sixteenth Election District, containing three hundred and eighty-five voters, shall be the Fourteenth Representative District, and elect three members.

Witness my hand and the seal of the said Territory this eighth day of March, A. D. 1855.

A. H. REEDER, Governor, etc.

Attest: DANL. WOODSON, *Secretary*.

The Governor established two new election districts. The seventeenth district was composed of a small area about the Shawnee Mission. It extended from the Kansas River south along the State-line about twelve miles. It was a narrow strip off the east end of what is now Shawnee township in Wyandotte County, together with a small tract out of the northeastern corner of what is now Johnson County.

The eighteenth district was taken from the eleventh, twelfth and thirteenth election districts, and defined as follows: "Commencing on the Vermillion Branch of the Blue River, at the crossing of the military road from Fort Leavenworth to Fort Kearney; thence due north to the line of the Fourteenth and Fifteenth Election Districts to the aforesaid military road; and thence, by the middle of said road, to the place of beginning."

There had been some modification of the tenth and the eleventh election districts, but these did not affect the apportionment of members of

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the Legislature. On the 26th of February, 1855, Governor Reeder issued a proclamation defining and setting up the Judicial districts of the Territory. He also assigned the Justices to these districts and fixed the times and places of holding terms of court.

First Judicial District.—Composed of the thirteenth, fourteenth, fifteenth, sixteenth and eighteenth election districts. Chief Justice Samuel D. Lecompte was assigned to this district. Courts were to be held at Leavenworth on the third Monday of April and the third Monday of October of each year. A special term was to begin on the 19th of March to dispose of the business which might have accumulated to that time.

Second Judicial District.—Composed of the first, second, third, fourth, fifth, sixth, and seventeenth election districts, and assigned to Justice Rush Elmore. Courts were to be held at Tecumseh on the second Monday after the third Monday of April, and the second Monday after the third Monday of October. To care for the accumulated business, a special term was appointed to begin March 26th.

Third Judicial District.—This district was composed of the seventh, eighth, ninth, tenth, eleventh, and twelfth election districts, and was assigned to Justice Saunders W. Johnston. Courts were to be held at Pawnee on the fourth Monday after the third Monday of April and the fourth Monday after the third Monday of October. The special term was to begin on the second day of April.

Governor Reeder issued his proclamation fixing the election of the Territorial Legislature on the 30th day of March, 1855. The qualifications of voters were the same as at the previous election.

The movements of Governor Reeder and the Pro-Slavery people had been antagonistic so far in establishing a government in Kansas Territory, and had been in a way preliminary to this election. It had been a sparring for advantage, with the Governor all the time on the defensive and giving ground. The first election had encouraged them. On the 22nd of January a large and enthusiastic meeting was held at Liberty, Missouri, at which it was resolved that Kansas and Nebraska should both become slave states. Each party knew that this election would be the most important preliminary event affecting the Territory. The Pro-Slavery party had been impatient at the delay of Governor Reeder in calling this election. His failure to call it immediately upon his arrival in the Territory was one of the charges brought against him by the Missourians when they demanded his removal. It was claimed that he held the election for the Territorial Legislature in abeyance in the interests of the Emigrant Aid Company, giving that Company time to import additional abolitionists into the Territory, thus putting the Pro-Slavery men at a disadvantage. The Missourians knew that they must win the Legislature, or fail in Kansas. The preparations made for the election of a Delegate to Congress were insignificant as compared to those made for the election of the Legislature. Companies were made up as far east in Missouri as Jefferson City for the purpose of voting in Kansas. A depot of supplies was said to have been established in Lawrence for some

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companies. Each company carried provisions and arms. These were transported by wagons. Whiskey formed a part of the cargo of a good many of the companies. Some bands arrived as much as two days before the election, and camped in the vicinity of the polling places. Everything had been reduced to a system. Each company had been assigned a certain voting district. It was their intention to have enough Missourians at each polling place to cast a majority of the votes even if all the legal voters persisted in voting, and this, it was not their intention to permit. On the morning of the election, these alien voters swarmed about the polls. At some points they intimidated the Judges and Clerks of election, causing them to resign. Violence was resorted to, but not in every election district. The account of the election at Lawrence, published in the *Kansas Free State* on the 7th of April is conservative and is here set out.

No Election

Never within the time "whereof the memory of man runneth not to the contrary" were there so many human beings (?) upon the soil of Kansas Territory as there were on the 30th ult. Emigration poured in very rapidly for about one week previous to the 30th, insomuch that the population of Lawrence (500) was increased to near 1,500 in two days. The roads were cut up very much with wagons, and the atmosphere was filled with smoke from their camp fires. On the day preceding the election, large numbers of persons in wagons from Missouri, Arkansas, Texas, Kentucky, Tennessee and Virginia, made their appearance near the polls in the various precincts. The great majority were from Missouri. There were near 700 came to this place before the polls opened. They were well equipped with good teams, wagons and plenty of provisions. A great many of them, to our surprise, were as fine a looking class of Missourians as we have ever seen. Considering the large crowd, and the fact that there was a good deal of liquor among them, they behaved exceedingly well. This was all owing to their being well disciplined, and under the command of good leaders. They were all well armed with revolvers, knives, and double barreled guns. We were told by some of their company that they had brought along two "six pounders," so as to have them ready in case of emergency.

Mr. Blanton, one of the judges, resigned the day before the election. It then devolved upon Mr. Cameron and Mr. Abbott to select another, which they did the next morning after assembling at the polls. By this time the imported voters had surrounded the polls. Col. Young, one of the leaders of the Missouri company, was first at the polls and took a species of oath as to his being an actual and *bona fide* settler, satisfactory to two of the judges, but not so to Mr. Abbott. Young stated to the dense crowd that he had sworn, and hoped that all would take the same oath, but a great many refused. Mr. Abbott then resigned, another was chosen. The judges were then two pro-slavery and one Free State, after which but four or five were sworn, and then the election proceeded with great vigor. All voted who desired, and there were 783 votes polled for the Missouri ticket, and 255 for the Free State ticket. Some little excitement went off through the day. Mr. Stearns, who was present taking notes, was threatened owing to some misunderstanding of what he had written in his book. While he was explaining, Mr. Bond was pointed out as the "Yankee bully," whereupon a number cried, "shoot

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him." He ran off the premises, and some one fired a shot to facilitate his removal.

The whole affair was a miserable farce. A great many of the settlers who came in to vote early in the morning, being kept from the polls so long, and thus seeing their rights so basely trampled upon, retired home without voting, saying that they regarded it no election, and would, therefore, have nothing to do with it.

The foreign voters, finding they had too many here, sent two hundred and fifty up to Tecumsèh; even then there were a great number of the most respectable class that did not vote. A number of persons, who have said all along that they were Free-State men, voted the Missouri ticket, because they did not like the other. And there were a good many Free State men who did not vote at all, *and there was from seventy-five to one hundred Eastern emigrants, just arrived, who voted the Free-State ticket.* This we tried to prevent, but could not, as the pro-slavery imported voters used this as their great argument, that if Eastern persons have a right to come in just before the election and vote, persons of other States have also the same right. When we saw that we were so entirely overpowered, we thought it best not to give the pro-slavery party any shadow of pretext in this regard. The election passed off in all other places just as it did here. So thorough was the organization of the imported voters, that they designed carrying every precinct in the territory, by large majorities. The whole design of the persons who came here was to vote, which they did, and then retired to their homes in the States.

In many places the Free-State men were driven from the polls—so that this election will be no test of their strength. Those judges who took the oath the Governor prescribed, and also permitted the illegal votes to be received and returned, will be in a very delicate position about the time the first Criminal Court sits in Kansas. The Governor will not give certificates of election to any one against whom there has been a protest entered, until he had heard the facts in the case.

M.

The charge made by the Missourians that the Emigrant Aid Company was also importing voters seems to be established by the above and by the following taken from *The Andreas History of Kansas,* page 99:

From the *Journal and Courier,* Lowell, Mass., March 26, 1855: Some thousands of emigrants are now at St. Louis waiting for the opening of Kansas navigation; 500 arrived at Alton on their way on Friday, and as many more were expected on Saturday; 600 are ready to start from Cincinnati; while from that city last week 130 Germans with their families, household goods, stools, fruit-trees, etc., marched in true German style with their fine band of music on board the steamer and started. In Kentucky, an association of some hundreds of *temperance* and *anti-slavery* men are to set forth soon to found a city on the Kansas River with the beloved name of Kansas. A similar company of 500 families is expected to start by detachments from Wayne County, Ind. The waves of emigration are rolling mightily.

"Dr. Robinson started with the first Kansas party in 1855, from Boston, March 13. It consisted of nearly two hundred persons—men, women and children. *It was his laudable intention to get his party through before the election came off, and he succeeded.* They reached Kansas City on the 24th; and were all in the Territory on or before the

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30th. The departure of this party was noted in the Eastern papers, commenting on which the *Squatter Sovereign* fired the heart of Missouri with the following:

"We are credibly informed that quite a large number, probably several hundred, of these purchased voters are now on their way up the Missouri River, consigned to Messrs. Park & Patterson, Parkville, and other consignees at different points for distribution in lots to suit, subject to the order of A. H. Reeder, Esq., President of the Underground Railroad, in Kansas Territory. A still larger number are said to be in St. Louis, ready for shipment on the first boat. We hope the quarantine officers along the borders will forbid the unloading of that kind of cargo.

"A cargo of rotten oranges once introduced death by thousands in Philadelphia (in the shape of yellow fever). A more horrible disease, *and one followed by many deaths, we fear,* may be the consequence if this mass of corruption, and worse than leprous loathsomeness, is permitted to land and traverse our beautiful country.

"It is charitable to believe that, ignorant of the facts, the majority of the Missourians who overran Kansas at the election of March 30 were honest in the belief that they were performing a duty they owed to their own State, in defense of her vital interests, being put in jeopardy by unfair methods on the part of the Emigrant Aid societies and kindred Free-state organizations; and that, with the light they had, they found full justification in the words of a Missourian, who, being asked if, as such, he thought he had a right to vote in Kansas, replied: 'As much as a man from Massachusetts—why not?'"

The number of Missourians coming into Douglas County, as later established, was estimated at one thousand, and this estimate was later sustained by sworn testimony. They were commanded by Colonel Samuel Young, of Boone County, and Claiborne F. Jackson, of Saline County. They wore white ribbons in the button-holes of their coats. They boasted that they had come to the Territory to elect a Legislature to suit themselves, as such a Legislature as the people of the Territory might elect would not suit them. They claimed that they had a right to make Kansas a slave state, because the people of the North had sent out persons to make it a free state. Finding that they had more men than was necessary, they sent companies to Tecumseh, Hickory Point, Bloomington, and other places. They organized the polls to suit themselves and voted. Claiborne F. Jackson was in command of the company sent to Bloomington. They held a mass meeting at which the Reverend Thomas Johnson, of the Shawnee Mission, was elected Governor in the place of Reeder.

Judge James Hale, of Lexington, Missouri, wrote the following letter to this author, detailing what he saw and what he did on this occasion.

LEXINGTON, MO., DEC. 11TH, 1910.

Mr. William E. Connelley, Topeka, Kansas.

Dear Sir: Before writing a description of the election of March the 30th, 1855, I should give our reason for voting at that election as follows:

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We knew that Eli Thayer and Horace Greeley had organized the New England Emigrant Aid Society to send Free-Soil voters to Kansas to make it a free state, and that they were passing up the Missouri River on steamboats continually and was well armed. Our opinion was that if the north had the right to hire men to go to Kansas to vote to make it a free state the Missourians had the right to go there without being hired to vote to make it a Slave State. 800 men went from Lafayette County to Baptist Peoria's (now Paola) on Bull Creek, forty miles south of Lawrence; and as more voters were there than was needed to carry that precinct, many of us was sent to Lawrence, where we arrived the night of the 29th and went into camp on the bank of the Kansas River above the town, where we were welcomed by many other Missourians who had preceded us—all of whom assembled at a log cabin near the river bank.

Soon two election judges arrived from Lawrence, and entered the cabin. Other judges were appointed but before opening the polls there was some sparring in regard to the oath to be taken by the voters. The Kansas judges insisted that every voter should swear that he was a bona fide citizen of Kansas, to which the Missouri judge objected, and proposed that all should swear that they were inhabitants of Kansas (which they were at the time), which was agreed to and the voting began. A few took the oath at the start, which was soon dispensed with. Then it was free for all. I voted and took the oath. In a little while the two Kansan judges came out of the cabin and left the place. By ten o'clock the mass of humanity was so dense and compact that it was almost impossible to get back after voting. Some were lifted up by the Committee on Elevation, placed on the eve of the roof, went over the comb, and were received at the opposite eve and lowered to the ground by the Committee on Descent. The second time I voted (only voted twice), I went over the roof, and I know from my own experience that the performance on the roof of the cabin was really and truly high and lofty tumbling.

Some voted many times. One old planter near this place said he voted 144 times. One man from Lawrence expressed his opinion too freely. When some of our men went for him he made a break for the river bank and as he went over it Joseph J. Chin (one of Doniphan's men) fired his pistol in the air with no intention of hitting him, but to accelerate his speed. The pro-slavery party elected their candidates and controlled the first territorial convention to Kansas.

Jo Shelby was there doing a great deal of loud talking, and after a heated wordy contest with Mr. Brown, [G. W. Brown] of Lawrence, dined with him.

The Missourians went to that election well armed.

Most respectfully,

JAMES HALE.

Many of the Free-State men did not vote. The exact number of legal votes cast in the Territory was fourteen hundred and ten, not quite half the number shown by the census. The returns of the election are shown in the following tables:

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ELECTION OF MARCH 30, 1855, BY REPRESENTATIVE DISTRICTS

No. Representative district	No. of election district	Precincts and place of Voting	No. of Representatives	Pro-Slavery Candidates	Their vote in election district	Their vote in Rep. district	Free-State Candidates	Their vote in election district	Their vote in Rep. dist.
1	4	Dr. Chapman's	1	A. S. Johnson	77	...	A. F. Powell	3	...
	17	Shawnee Mission	..	A. S. Johnson	43	120	A. F. Powell	16	19
2	1	Lawrence	3	James Whitlock	780	...	John Hutchinson	252	...
				J. M. Banks	781	...	E. D. Ladd	253	...
				A. B. Wade	781	781	P. P. Fowler	254	253
3	2	Bloomington	2	G. W. Ward	318	...	Isaac Davis	12	...
				O. H. Browne	318	318	E. G. Macy	12	12
4	3	Tecumseh	1	D. L. Croysdale	366	366	C. K. Holliday	4	4
5	7	I. B. Titus's	1	M. W. McGee	210	...	H. Rice	23	...
	8	Council Grove	..	M. W. McGee	12	222	A. I. Baker	25	49
6	6	Fort Scott	2	Joseph C. Anderson	315	...	Jno. Hamilton	35	35
				S. A. Williams	313	315	William Margraves	16	...
7	5	Bull Creek	4	W. A. Heiskell	377	...	John Serpell	9	...
				Allen Wilkinson	375	...	Adam Pore	9	...
				Henry Younger	375	...	S. H. Houser	9	...
				Samuel Scott	377	...	Wm. Jennings	9	...
		Pottawatomie Creek	..	Wm. A. Heiskell	198	...	John Serpell	61	...
				Allen Wilkinson	198	...	Adam Pore	54	...
				Henry Younger	198	...	S. H. Houser	64	...
				Samuel Scott	198	...	Wm. Jennings	62	...
		Big Sugar Creek	..	Wm. A. Heiskell	74	...	John Serpell	17	...
				Allen Wilkinson	74	...	Adam Pore	16	...
				Henry Younger	74	...	S. H. Houser	17	...
				Samuel Scott	74	...	Wm. Jennings	17	...
		Little Sugar Creek	..	Wm. A. Heiskell	33	...	John Serpell	62	...
				Allen Wilkinson	32	...	Adam Pore	62	...
				Henry Younger	35	...	S. H. Houser	64	...
				Samuel Scott	35	684	Wm. Jennings	66	152
8	9	Pawnee	1	Russell Garrett	18	...	S. D. Houston	56	...
	10	Big Blue	..	Russell Garrett	21	...	S. D. Houston	43	...
		Rock Creek	..	Russell Garrett	2	41	S. D. Houston	21	120
9	11		1	Fr. J. Marshall	328	...			
	12	Silver Lake	..	Fr. J. Marshall	12	...	H. McCartney	19	...
		St. Marys	..	Fr. J. Marshall	4	344	H. McCartney	7	26
10	13	Hickory Point	1	Wm. H. Tebbs	237	237	C. Hard	3	...
11	14	Wolf River	..	John H. Stringfellow	57	...	G. A. Cutler	15	...
				R. L. Kirk	52	...	John Landis	8	...
		Doniphan	..	J. H. Stringfellow	313	...	J. Ryan	8	...
				R. L. Kirk	292	...	G. A. Cutler	30	...
							John Landis	25	...
	18	Nemaha	..	J. H. Stringfellow	48	...	Joel Ryan	18	...
				R. L. Kirk	30	420	G. A. Cutler	14	...
12	14	Burr Oak	2	Joel P. Blair	256	...	John Landis	13	54
				Thomas W. Waterson	258	258	John Fee	2	...
13	15		2	H. B. C. Harris	412	...		...	...
				J. Weddell	412	412		...	...
14	16	Leavenworth	3	Wm. G. Mathias	889	...	Felix G. Braden	59	...
				H. D. McMeekin	889	...	Samuel France	59	...
				Archy Payne	895	897	F. Browning	59	59

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RETURNS OF ELECTION, BY ELECTION DISTRICTS, MARCH 30, 1855

No. of Districts	Precinct	Pro-Slavery Votes	Free State Votes	Scattering	Total	Total legal votes	Total illegal votes	Census 1855 No. of Votes	Census 1855 No. of Residents
1	Lawrence	781	253	..	1,034	232	802	369	962
2	Bloomington	318	12	11	341	30	316	199	519
3	Stinson's or Tecumseh	366	4	2	372	32	338	101	282
4	Dr. Chapman's	78	2	..	80	15	65	47	177
5	Bull Creek	377	9	..	386	13	380		
5	Pottawatomie	190	65	..	264	75	191	442	1,407
5	Big Sugar Creek	74	17	7	98	32	59		
5	Little Sugar Creek	34	70	..	104	104	.....		
6	Fort Scott	315	35	..	350	100	250	253	810
7	Isaac B. Titus	211	23	..	234	25	209	53	118
8	Council Grove	17	17	..	37	37	.....	39	83
9	Pawnee	23	52	..	75	75	.....	36	86
10	Big Blue	27	42	..	69	48	21		
10	Rock Creek	2	21	..	23	23	.....	63	151
11	Marysville	328	...	..	328	7	321	24	36
12	St. Mary's	4	7	..	11	11	.....	.....	.....
12	Silver Lake	12	19	2	33	33	.....	78	144
13	Hickory Point	233	6	..	239	12	230	96	284
14	Doniphan	313	30	3	346				
14	Wolf Creek	57	15	6	78	200	530	334	1,167
14	Burr Oak	256	2	48	306				
15	Hayes	412	...	5	417	80	337	208	873
16	Leavenworth	899	60	5	964	150	814	385	1,183
17	Gum Springs	43	16	..	59	59	.....	50	150
18	Moorestown	48	14	..	62	17	45	28	99
	Total	3,427	791	89	6,307	1,410	4,908	2,905	8,601

The Missourians had elected a Legislature to suit themselves. A majority of the members lived in Missouri and had no intention of making a legal residence in Kansas. The candidates put up by the legal voters had been uniformly defeated. They appealed to Governor Reeder to set aside the election. When it became known that the election might be contested the members having the majority of votes demanded their certificates of election of Governor Reeder. These they desired to procure before formal protest had been filed. The indecision of the Governor caused him further trouble. His hesitation brought him many letters threatening his life, should he set aside the election. The Missouri papers contained incendiary articles for the purpose of intimidating the Governor. The Organic Act gave him full power to declare the election illegal if he should have sufficient grounds and desired to do so. The result of the election and the demands of the Missourians placed him in a dangerous position. His party expected that his official action would be in favor of the establishing of slavery in Kansas. His associates in the Territorial Government favored the actions of the Missourians. Describing his actions in passng upon the returns of this election, Governor Reeder had this to say:

About the time fixed as the return day for that election a majority of the persons returned as elected assembled at Shawnee Mission and Westport, holding private caucuses at both places. I had frequent conversations with them, and they strenuously denied my right to go behind the returns made by the judges of the election, or investigate in any way the legality of the election. A committee called upon me and presented me a paper, signed by twenty-three or twenty-four of them, to the same effect. Threats of violence against my person and life were freely afloat in the community; and the same threats were reported to me, as having been made by members elect, in their private caucuses. In

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consequence of it being reported to me that a number of the members, in their caucuses, in their speeches, had declared they would take my life if I persisted in taking cognizance of the complaints made against the legality of the elections, I made arrangements to assemble a small number of friends for defense, and, on the morning of the 6th of April I proceeded to announce my decision upon the returns. Upon the one side of the room were arrayed the members-elect, nearly, if not quite, all armed; and, on the other side, about fourteen of my friends, who, with myself, were also well armed. My official action upon those election returns was entered on the executive minutes, and is already in the possession of the committee. I was not then aware of the frauds perpetrated in the other districts, which were not set aside, as no complaints had been filed, and the facts had not been communicated to me. Sufficient opportunity to contest the election had been given by the proclamation. The form of complaint was very simple, and full five days, exclusive of the day of election, were allowed for filing it. The most remote polls were within three days' journey, or less, of my office, which was kept open till midnight of the last day. The reasons why they were not contested have been stated already by other witnesses.

What the Governor did in relation to this election is shown by the executive minutes here set out:

April 6, 1855.—*Decision of the Governor upon the returns of election held 30th March, 1855:*

First Council District.—Besides the protest filed against the election at Lawrence for importation of votes, there is a defect in the return. The words "lawful resident voters" are stricken out. The Lawrence election is therefore set aside, and a new election must be had for Representatives.

Fourth Election District.—Besides the protest filed in this, there are material omissions in oath and return, purposely made. This must also be set aside.

Seventeenth Election District.—The form of return is correct as prescribed, and no protest for illegal voting. The form of oath differs from that prescribed, but is a searching one, and nearly, if not quite, equivalent to that prescribed, and perhaps ought to be sanctioned. If so, this district will elect Thomas Johnson, Edw. Chapman, Council; A. S. Johnson, Representative. This election is, however, not declared at present, but held under advisement.

Second Council District.—The judges were sworn by G. W. Taylor, who had no authority to administer the oath. In addition, there is a protest complaining of importation of voters, and violent expulsion of the original judges. For want of sufficient oath, the election is set aside, and a new election for Council and Representative ordered.

Third Council District.—Besides the protest for violent expulsion of the judges at the Tecumseh polls and for illegal votes, there are material erasures in the oath, purposely made; return in form prescribed. This is held under advisement for the present, but will probably be set aside, and if so, a new election will be ordered for Representatives.

Seventh Election District.—Besides the protest complaining of a large number of illegal votes, the judges do not appear to have been sworn at all. This poll is therefore set aside.

Eighth Election District.—No protest is filed, and the proceedings in regular prescribed form. A majority of votes for members of the House of Representatives are cast for A. I. Baker, Esq., and he is declared elected in the Fifth Representative District. For Council, the vote is a tie

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between H. J. Strickler and H. Rice, so that as to Council the result still depends upon the Tecumseh poll.

Fourth Council District.—Of the four precincts, Bull Creek is the only one contested, that from Pottawatomie Creek being withdrawn. Suppose the complaint to be true, if successful it cannot alter the result. The remaining three precincts are uncontested and in form, and gave a majority to A. M. Coffee and David Lykens for Council; W. A. Heiskell, Allen Wilkinson, Henry Younger and Samuel Scott for the House of Representatives, and they are declared elected.

Fifth Council District.—The returns are all in due form, and no protest. William Barbee for Council, Joseph C. Anderson and S. A. Williams for House of Representatives, are declared elected.

Sixth Council District.—The Ninth and Tenth Election Districts are in form as to their returns; no protest. S. D. Houston is declared elected Representative in the Eighth Representative District.

In addition to the protest against the Eleventh Election District (being the poll at Marysville), the returns show a fatal defect. Instead of conducting the election by ballot, it must have been held *viva voce*, as the manner in which each person voted is recorded at once opposite his name. As the proclamation required the election to be by ballot, and the tickets to be counted after closing the polls, it is impossible to sustain this return. It is accordingly set aside. The residue of the district gives M. F. Conway a majority for Council, and he is declared elected.

In the Ninth Representative District—the Marysville poll being set aside—the returns of St. Marys and Silver Lake give Solomon McCartney, 19; F. J. Marshall, 16; Palmer McCartney, 7; and Solomon McCartney is declared to be elected. It is alleged that there is no such man, and that the vote for him was cast under mistake of the name of Palmer McCartney. A slight difference in name should always be disregarded, to carry out the will of the voter, but the difference here is too great to be reconciled. If these facts are shown as alleged, the vote for Solomon McCartney is a nullity, and the certificate will be granted to Francis J. Marshall.

Seventh Council District.—The returns in form, and no protest. John W. Foreman for Council, J. H. Stringfellow and R. L. Kirk for House of Representatives are declared elected.

Eighth Council District.—The returns in form, and no protest. Joel P. Blair and Thos. W. Watterson for House of Representatives, are declared elected.

Ninth Council District.—Returns in form, and no protest. D. A. N. Grover for Council, H. B. C. Harris and J. Weddle for House of Representatives, are declared elected.

Tenth Council District.—Besides the protest filed against the Leavenworth poll for illegal voting, it appears that the judges purposely struck out a material part of the prescribed form of return, to wit; that the votes were polled "by lawful resident voters." This poll is set aside, and a new election for Representative becomes necessary.

In the Thirteenth Election District, the protest filed has been withdrawn, and the result stands upon the return of the judges who conducted the election, and a counter statement of the judges appointed by the proclamation, who, after having taken the oath and entered upon the performance of their duties, abandoned the polls and left the grounds, because, as they say, a large number of non-residents were on the ground demanding to vote, and obstructing the polls, and because no lawful votes were presented. This is not a protest as provided for in the proclamation, and even if regarded as a report or return by them, rela-

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tive to the performance of their official duties, does not disclose sufficient reason for vacating their posts. They were not drawn away by force. If illegal votes were offered, it was their duty to remain and reject them. If the polls were obstructed, it was their business at least to endeavor to clear them, and at all events to endeavor to remain at their posts in the performance of their duty until the time for closing the polls, unless driven away by violence. The place they left was filled by other judges appointed according to the proclamation, and their return, which is in form, and no protest before me, shows a majority for L. J. Eastin and R. R. Rees for Council, W. H. Tebbs for House of Representatives, who are accordingly declared elected.

Governor Reeder, it will be seen, set aside the election in the first, second, third, seventh, eighth and sixteenth districts. To the persons having received the highest number of votes in all the other districts, he issued certificates of election. In the districts where the election was set aside, he called an election to fill vacancies, to be held the 22nd of May. He also fixed the time of the meeting of the Legislature for the first Monday in July. It was to meet at the town of Pawnee, where a Capitol building was in course of erection. This town was on the present Military Reservation of Fort Riley. Governor Reeder left the Territory on the 17th of April to visit his home at Pennsylvania, "for the purpose of taking out my family and attending to private business, as well as for the purpose of consulting with the President in regard to the state of things in the Territory." He did not return until the last of June.

The election called for the 22nd of May was not attended by the Missourians, except in the precinct of Leavenworth. It was their plan to ignore this election, as the action of Governor Reeder had given them a large majority of the Legislature. They knew that they could unseat any members elected at this supplementary election, which resulted in the choice of six Free-State members of the House, and two Free-State members of the Council. The House members were, Philip P. Fowler, John Hutchinson and Erastus D. Ladd, of Lawrence; Augustus Wattles, William P. Jesse, of Douglas, and Cyrus K. Holliday of Tecumseh precinct, which included Topeka. To the Council were elected John A. Wakefield and Jesse D. Wood.

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CHAPTER XXI

THE LEGISLATURE

The Legislative Assembly was constituted as follows:

COUNCIL

First District.—Thomas Johnson, Edward Chapman.
Second District.—John A. Wakefield.
Third District.—Jesse D. Wood.
Fourth District.—A. M. Coffey, David Lykins.
Fifth District.—William Barbee.
Sixth District.—M. F. Conway.
Seventh District.—John W. Forman.
Eighth District.—William P. Richardson.
Ninth District.—D. A. N. Grover.
Tenth District.—Lucien J. Eastin, Richard R. Rees.

HOUSE

First District.—A. S. Johnson.
Second District.—Philip P. Fowler, John Hutchinson, Erastus D. Ladd.
Third District.—Augustus Wattles, William Jessee.
Fourth District.—Cyrus K. Holliday.
Fifth District.—A. J. Baker.
Sixth District.—Joseph C. Anderson, S. A. Williams.
Seventh District.—W. A. Heiskell, Allen Wilkinson, Henry Younger, Samuel Scott.
Eighth District.—S. D. Houston.
Ninth District.—F. J. Marshall.
Tenth District.—William H. Tebbs.
Eleventh District.—John H. Stringfellow, R. L. Kirk.
Twelfth District.—Joel P. Blair, Thomas W. Watterson.
Thirteenth District.—H. B. C. Harris, J. Weddell.
Fourteenth District.—William G. Mathias, H. B. McMeeken, Archibald Payne.

Governor Reeder returned from Washington in time to be present at the meeting of the Legislature at Pawnee. His act in locating the Territorial capital at Pawnee cannot be justified. It was westward beyond the remotest settlements. The accommodations for members of the Legislature and State Officers were wholly insufficient. The members had protested to the Governor against the location of the capital at that point. The action of Reeder in this matter was evidently caused by his interest in the Pawnee Town Company. That company

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had erected a stone Capitol Building, two stories in height, and forty by eighty feet in dimensions. A Major Klotz had put up a boarding-house with capacity for forty people. A Mr. Teeples and a Mr. Knapp had each a boarding-house for twenty persons. Two miles away, at Fort Riley, a Mr. Lowe had a hostelry to care for fifteen persons; it was his plan to have a conveyance to carry his boarders back and forth to the Capitol Building. The Governor insisted that these accommodations were sufficient for the needs of the Legislature, and that all would be comfortably housed, the tables being as good as at the average hotel of the time—which was promising little.

While the Legislature had no intention of remaining at Pawnee, it was necessary for it to go to that point and organize for the transaction of business. The legality of its actions rested on this procedure. Governor Reeder had been requested to have the session of the Legislature at the Shawnee Mission, near Westport, Missouri, but had refused to consider that point for even the temporary capital. It had been arranged with the Reverend Thomas Johnson, that he would have quarters prepared for the Legislature when it returned from Pawnee, as it fully intended to do. The Governor, in refusing to consider the Shawnee Mission, in his plans for the government of the Territory, made the point that it was too near the border of Missouri, and the Legislature would be too much in the power and under the influence of the citizens of that State. Considering his experiences, it would seem that the point was well taken.

The members of the Legislature traveled to Pawnee on horseback, by wagons, and in carriages. Upon their arrival they went into camp, very much as had the Missourians when they invaded the Territory to vote. They did not patronize the boarding-houses provided by the Pawnee Town Company.

The Legislative Assembly met in the Capitol Building at Pawnee on Monday, the 2nd of July, 1855. The organization of the House of Representatives was effected by Daniel Woodson, Territorial Secretary, who called the House to order and read the official roll. The following members were present and answered to their names: Johnson, Hutchinson, Ladd, Wattles, Jessee, Baker, Anderson, Williams, Heiskell, Wilkinson, Younger, Scott, Houston, Marshall, Tebbs, Stringfellow, Kirk, Blair, Watterson, Harris, Weddell, Mathias, Payne, McMeeken.

Officers *pro tem* were elected as follows: Joseph T. Anderson, Chairman; T. M. Lyle, Chief Clerk; John Martin, Assistant Clerk; T. J. B. Cramer, Sergeant-at-Arms; Benjamin P. Campbell, Doorkeeper. The Reverend Mr. Stateler being present, was called upon to officiate as Chaplain and open the session with prayer. The House then proceeded to the election of permanent officers. John H. Stringfellow was elected Speaker, and Joseph C. Anderson Speaker *pro tem.* For the other places the temporary officers were respectively chosen. The Speaker immediately appointed a Committee on Credentials, consisting of the following members: Heiskell, Houston, Mathias, Watterson and John-

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son. The Committee was instructed to bring in a report at 8 o'clock on the following day. The House then adjourned.

Secretary Woodson also presided over the organization of the Council. The following members answered to roll call: Thomas Johnson, Edward Chapman, John A. Wakefield, Jesse D. Wood, A. M. Coffey, David Lykins, William Barbee, John W. Forman, William P. Richardson, D. A. N. Grover, L. J. Eastin, R. R. Rees.

M. F. Conway, the Free-State member was absent, having resigned his seat.

The officers *pro tem* were: R. R. Rees, President; John A. Halderman, Chief Clerk; Charles H. Grover, Assistant Clerk; Carey B. Whitehead, Sergeant-at-Arms; William J. Godfroy, Doorkeeper. The Council did not wait for a permanent organization before naming a Committee on Credentials, but immediately appointed Coffey, Johnson and Richardson as such committee. The Committee was required to report forthwith, which it did, saying that all members present except those from the second, third and sixth council districts, were entitled to their seats. These districts were represented by the Free-State members, and the Committee asked for further time to consider their credentials, which was granted. The permanent organization was effected by electing Reverend Thomas Johnson, President, and R. R. Rees, President, *pro tem,* with the other officers as in the temporary organization.

Both ranches of the Legislative Assembly, having been legally organized, Governor Reeder was informed that they were ready for the transaction of any business that might legally come before them. The Governor sent in his message on the morning of the 3rd of July. Then it was read in both houses and referred to proper committees. It dealt with those problems confronting the Legislature met to provide machinery for the government of the Territory, such as the formation of counties, the establishment of Courts, schools, county governments, and a system of taxation. There was a long paragraph on the slavery question, which did not in the least interest the Legislature. Governor Reeder's views were well known, and it was not the intention of the Legislature to regard what he might have to say on that matter. The program concerning slavery had been prepared in Missouri immediately after the election of the Legislature. This program had been agreed upon at Weston, Missouri, by Judge William C. Price, Senator Atchison, and other rabid Pro-Slavery men.

To the Honorable the Speaker of the House of Representatives of the Territory of Kansas:

The undersigned, a majority of the committee appointed by this House as a special committee on credentials, whose duty it was to inquire into and examine the evidence of membership of gentlemen who claim their seats as members of this House of Representatives of the Territory of Kansas, most respectfully beg leave to make the following report:

Having heard and examined all the evidence touching the matter of inquiry before them, and taking the organic law of Congress, passed on the 20th day of May, in the year 1854, organizing the territorial govern-

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ments of the Territories of Nebraska and Kansas, as their guiding star, the only bright and shining light to the port of a true and correct conclusion in the premises, believe and declare, in the first place, that the Governor of the Territory of Kansas had not the exclusive right or power to prescribe the manner and form by which the first election for members of the first Territorial Legislative Assembly of the said Territory of Kansas should be conducted and passed upon; but that a fair construction of the 22nd section of the said organic act leads them—nay, drives a majority of your said committee, to the conclusion that no particular form of the oath which the judges of said election took was necessary, and that no particular form of the return of said election by the said judges was necessary in order to legalize the said election; but that such oaths and such returns as are usual for judges of elections in the several States to take, perform, and return, is all that the organic act requires. And a majority of your committee believe, and are of the opinion, from the original papers filed in the office of the Secretary of the Territory, and other papers and evidence which were before them, that the oaths and returns, and all other acts taken, done, and performed by the judges appointed by his Excellency, A. H. Reeder, Governor of the Territory of Kansas, to hold and conduct the election for members of the first Territorial Legislative Assembly, were in the usual form, at all events as effectual and as legal and binding as if the said oaths and returns had been in the form prescribed by the Governor in his proclamation, *verbatim et literatim.*

Indeed, any other construction might lead to usurpation of power, never ending confusion, and wrong. And besides, it is not to be expected, nor is it required by any rule of law or courts of justice, in the United States or Great Britain, that oaths or affidavits taken and made promiscuously throughout the country shall be uniform; but that any oath or affidavit, taken or made by any officer of any branch of the government, clearly showing the intention of the party taking or making the same to the point at issue, or matter of fact to be established or procured, is all that the law requires.

In the second place, the undersigned, a majority of our said committee are of the opinion and declare that the said organic act, establishing the territorial governments of the Territories of Nebraska and Kansas, does not give to the Governor of the Territory of Kansas, power generally to set aside elections nor does it confer upon him the right or power to set aside the election held on Friday, the 30th of March last, in any one or all of the election precincts, unless (in the language of the bill itself), that in case two or more persons voted for shall have an equal number of votes, and in case a vacancy shall otherwise occur in either branch of the Legislative Assembly. In these events, and these events alone, has he power to order a new election.

And this, sir, appears to be a very liberal construction. Mark the words, "That in case two or more persons voted for shall have an equal number of votes," without any qualification. This language might deprive two or more persons, fairly elected by their constituents, of their privileges as members of this House; because, for instance, it is not impossible for A, who might be a candidate for a seat in this House for District No. 1, and B, a candidate also for a seat in this House in District No. 2, to have an equal number of votes; so that without liberality in construing this language, the election of both A and B might be set aside, on a mere pretense, however trivial. But it is conceded that the Governor of this Territory has the power, under the organic act of Nebraska and Kansas, to set aside the election in any Council or Representative District, where either of those contingencies arise.

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But it is not pretended on the part of the Governor, or any gentlemen claiming seats in this House, that a tie occurred in any representative district, nor that any election in any one or more of the representative districts was set aside on that ground, yet it appears that the election in a number of the representative districts of this Territory were set aside, and certificates refused to gentlemen who claimed to be elected by a large majority of their constituents.

Upon what ground then were these elections set aside, and certificates refused? A majority of your committee, and they apprehend a majority of the members of this House, are at a loss to know.

It is pretended, however, that these elections were set aside and certificates refused, upon the ground of a non-compliance on the part of some of the judges of the election, with the manner and form prescribed in the proclamation of the Governor of this Territory. This, as it has already been shown, was not a legitimate reason for thus setting aside these elections; but nevertheless new elections were ordered to be held on the 22d May last, and a number of gentlemen are now holding their seats in this House by virtue thereof.

Can it be that Congress in its wisdom, having great experience and the history of the past before them, designed to delegate to one man the power to create a vacancy in the popular branch of this Legislature, for his own purposes, on any pretense whatever? Certainly not. But a majority of your committee emphatically deny that any vacancy in this branch had occurred at the time of the issuing of the Governor's proclamation, ordering a new election in the several districts of this Territory where new elections were held and conducted, under and by virtue of that proclamation, or at the time such elections were held and conducted, or at any time subsequent, until the organization of both branches of the first Territorial Legislative Assembly of the Territory of Kansas, and certainly none since, for every seat has been occupied from that moment until the present, whether rightfully or not is for this House to decide.

Now, sir, if this be a correct view of the subject, by what authority have the elections in the said several representative districts been set aside? By what authority have certain gentlemen been refused certificates of election? and by what authority has a new election been ordered and held on the 22d day of May last? Verily, none; at least none that a majority of your committee can see; and the election held in the several districts of the territory on the 22d day of May last, is therefore, in the opinion of a majority of your committee wholly and entirely illegal, unwarrantable, and not authorized by the organic act establishing the territorial governments of the Territories of Nebraska and Kansas, and they have therefore disregarded the said election.

Upon the subject of certificates this committee would only remark, that a certificate of election in the hands of a party claiming a seat in this or any other house of a similar character, is only *prima facie* evidence of his right to sit until the House shall have passed upon the fact, and nothing more; and that a certified copy of the return of the judges of an election, or the original return filed in the office of the Secretary of State, is also *prima facie* evidence of his right to sit until otherwise ordered by the House of which he claims to be a member; and that it is competent and legal, and in accordance with the best parliamentary law and regulation, for this House, or any similar body constituted as this is, to oust, or in other words to turn out, and refuse to any person the privilege to sit as a member, notwithstanding he may have a certificate of election with the broad seal of a State or Territory, as the case may be. The precedents on this branch of our report are so numerous, and

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so well and generally understood, that to say more would be but taxing sounds and words wholly unnecessary now.

In regard to those gentlemen who are now sitting members of this House, and whose seats are not contested in this place, these are passed without further comment.

But with regard to those whose seats are contested, the majority of your committee having already declared that the election held on the 22d of May was void *ab initio*, cannot entertain either the certificate of the Governor of this Territory, or a certified copy of the return of the judges of the said election, nor even the original return filed in the office of the Secretary of the Territory, and must therefore be governed entirely by the return of the judges who held and conducted the election held on the 30th of March last, in pursuance to and compliance with the just proclamation of the Governor of this Territory, ordering an election for members of the Territorial Legislative Assembly of the Territory of Kansas.

Accordingly it appears that Mr. A. S. Johnson, from the first Representative District, is entitled to his seat as a member of this House.

That Messrs. Joseph C. Anderson and S. A. Williams, from the sixth Representative District, are entitled to their seats as members of this House.

That Mr. S. D. Houston, from the eighth Representative District, is entitled to his seat as a member of this House.

That Mr. F. J. Marshall, from the ninth Representative District, is entitled to his seat as a member of this House.

That Mr. W. H. Tebbs, from the tenth Representative District, is entitled to his seat as a member of this House.

That Messrs. J. H. Stringfellow and R. L. Kirk, from the eleventh Representative District, are entitled to their seats as members of this House.

That Messrs. Joel P. Blair and Thomas W. Waterson, from the twelfth Representative District, are entitled to their seats as members of this House.

That Messrs. H. B. C. Harris and J. Weddle, from the thirteenth Representative District, are entitled to their seats as members of this House.

That Messrs. W. G. Mathias, H. D. McMeekin, and A. Payne, from the fourteenth Representative District, are entitled to their seats as members of this House.

The foregoing gentlemen are those whose seats have not been contested.

And it appears that Messrs. John Hutchinson, Philip P. Fowler, and Erastus D. Ladd, from the second Representative District; Messrs. Augustus Wattles and William Jessee, from the third Representative District; and Mr. Cyrus K. Holliday, from the fourth Representative District—have received certificates of their election from the Governor, declaring them duly elected as members of this House, on the 22nd of May last. But inasmuch as a majority of your committee have declared that this election was void from beginning to end, and that the Governor was not authorized or empowered to order that election, by the organic act establishing this territorial government, they are not entitled to their seats as members of this House.

But that Messrs. James Whitlock, A. B. Wade, and John M. Banks, from the second Representative District, are entitled to their seats as members of this House, having received a majority of the votes polled in their said Representative District, at an election held therein on the 30th day of March, 1855.

Messrs. G. W. Ward, and O. H. Browne, from the third Representa-

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tive District, are entitled to their seats as members of this House, having received a majority of the votes polled at an election held in their Representative District, on the 30th day of March, 1855.

Mr. D. L. Croysdale, of the fourth Representative District, is entitled to his seat as a member of this House, having received a majority of the votes polled in his said Representative District, at an election held therein on the 30th day of March, 1855.

In the fifth Representative District it appears that A. J. Baker received a certificate of election from the Governor of this Territory, declaring that the said A. J. Baker was duly elected a member of this House, said certificate bearing date the 6th day of April, 1855.

It appears from all the facts in this case of Mr. A. J. Baker, that in his (the fifth) Representative District there are two precincts. A. J. Baker received twenty-five votes, and M. W. McGee, the contestant in this case, received twelve votes, at one precinct; and at the other precinct, A. J. Baker received one vote, and M. W. McGee received two hundred and ten votes. The returns of the judges of election from both these precincts are equally effective and equally legal in our judgment, and we therefore declare that A. J. Baker, from the fifth Representative District, is not entitled to his seat in this House, but that M. W. McGee, from the said fifth Representative District, having received a majority of all the votes polled in that Representative District, on the 30th day of March, 1855, is entitled to his seat as a member of this House.

The foregoing, your committee know, is very imperfect; but the shortness of the time allowed to investigate the subject referred to them did not admit of a more thorough and comprehensive report thereon.

All of which is most respectfully submitted.

WILLIAM G. MATHIAS, *Chairman.*
A. S. JOHNSON.
WILLIAM A. HEISKELL.
THOMAS W. WATERSON.

S. D. Houston submitted a minority report denying that the Legislature had any right to go behind the decision of the Governor. Mr. Hutchinson opposed the adoption of the report of the committee in a long argument, although he was informed that his speech would have no effect, whatever, on the House. The adoption of the report unseated Hutchinson, Fowler, Ladd, Wattles, Jessee, Holliday and Baker. A protest was filed by Hutchinson, Jessee, Wattles and Ladd. The committee appointed by the Council submitted a report, the adoption of which unseated Wood and Wakefield, and seated Andrew McDonald and Hiram J. Strickler. The action of the Legislature left S. D. Houston as the only Free-State member, and he resigned on the 23rd of July.

Having settled the membership to its satisfaction, the Legislature proceeded with the business of transferring the seat of government to the Shawnee Mission. On the 4th of July both Houses passed a bill entitled, "An act to move the seat of government temporarily to the Shawnee Manual Labor School in the Territory of Kansas." Governor Reeder immediately vetoed this bill in a message as follows:

To the House of Representatives of the Territory of Kansas:

I return to your House, in which it originated, the bill entitled "An act to remove the seat of Government temporarily to the Shawnee

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Manual Labor School in the Territory of Kansas," with my objections. I cannot give the bill my official sanction for several reasons. It provides "that until the seat of government is located by law, the Governor and Secretary of State (by which is doubtless meant the Secretary of the Territory), shall respectively keep their offices at the Shawnee Manual Labor School."

This permission seems to me peculiarly objectionable. The Legislative and Executive departments, here as elsewhere, are entirely independent of each other in the performance of their respective duties within their separate spheres, and must each be left to the discharge of their own proper functions, independent of the control of the other, in any way that would interfere with the exercise of that discretion, which is properly confided to them. Under our organic law there is even yet another consideration bearing upon this well-known doctrine, which forces itself upon our attention.

The Executive department is an emanation of the power of the Federal Government, represents the authority of that Government, and the incumbent is appointed by it. His duties are defined by Congress, who may at any time restrict or enlarge them, and prescribe the mode in which they shall be performed, and to the Federal Government alone, from which his power is derived, and by which his movements are directed, is he responsible for the manner in which his official functions are performed. This controlling power over the Territorial Executive can neither be taken away from Congress by the Territorial Legislature, nor can it be exercised by the latter, concurrently with the former, because this would involve the possibility of an irreconcilable conflict between the two. The control of the Executive is not parted with by Congress, under the 24th section of the organic law, because, as already shown, such control by others would be inconsistent with the spirit of the act. The General Government have legislated in various portions of the act, as to the general duties of the Executive, and in reference to this point particularly, now involved, have gone as far as they then deemed expedient, by providing that the Governor and Secretary shall reside in the Territory. They may at any time go further and provide at what point of the Territory the offices shall remain; but we must await their action in the matter, as that of the only power which can prescribe it; so long as they see proper to leave to the incumbent of the Executive Department the privilege of locating his office anywhere within the Territory, that privilege cannot be taken away by the Territorial Legislature.

When the actual seat of government is fixed by competent authority, it would certainly become the duty of the Executive to locate his office there, and this brings us to the inquiry whether the bill which I now return is within the rightful powers of the Legislature, as conferred by Congress.

It professes to locate the seat of government temporarily, as contradistinguished from a permanent location. This distinction is well founded and well understood, and is recognized as well in the organic law as in the act of Congress of March 3, 1855, and a temporary seat of government is recognized as one upon which none of the public money appropriated by Congress, shall be expended in the erection of public buildings.

By the organic law, the Governor was vested with the power to fix the place for the meeting of the first Legislative Assembly. By the same law, Congress themselves fixed the temporary seat of Government, and by act of March 3, 1855, they conferred upon the Legislature the right to fix a permanent seat of government. The power of the Legislature is thus clearly defined. Congress has chosen to confine one branch

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of this subject to the Governor, to retain another to themselves, and to commit the third to the Legislature.

The temporary seat of government may or may not be used, and this will depend upon whether the Legislature shall leave the place fixed for their meeting by the Governor, before they shall fix upon a permanent seat of government. Congress having already fixed a temporary seat of government for the Territory, the only effect of the bill which I now return to you would be to repeal the 31st section of the Kansas bill, which involves the exercise of a power far beyond the functions of the Legislature.

The Legislature may undoubtedly, by virtue of the act of Congress, passed March 30, 1855, entirely supersede the temporary seat of government by a permanent location, upon which the public appropriation is to be expended for buildings; but in no other mode can the object be attained. Had Congress abstained from fixing a temporary seat of government, the Legislature might, perhaps by implication, have had the power to do so; but when they exercise it themselves, and, in the same law, prohibit the Legislature from any legislation inconsistent with the provisions of the act, it would seem that the door is closed for any such legislation as contemplated by the bill which has been submitted to me.

It follows then that the Legislative Assembly has no right to prescribe where the office of the Executive shall be held, except by means of the establishment of a seat of government, and that they are confined to the fixing of a permanent and not a temporary one, and it would seem equally clear that as Congress has provided for the place of their first meeting, for the temporary seat of government, and also for the permanent seat of government, that it was their intention that the Legislature should sit only at one place of the three.

Conclusive as this view of the case appears, I may add that I cannot perceive the expediency of the bill. The effect will be at once to adjourn your present session to the place mentioned, and whilst I am prepared to admit that the Legislative Assembly are satisfied of the existence of sufficient reasons for this step, their reasons are not apparent or convincing to me; and on the other hand, it is the loss of the time (more valuable because limited) which our organic law allots to the Legislative session, and because it will involve a pecuniary loss in view of the arrangements which have been made at this place for our accommodation.

A. H. REEDER, *Governor.*

EXECUTIVE DEPARTMENT, July 6, 1855.

The bill was promptly passed over his veto. The Legislature then adjourned to meet at the Shawnee Mission on the 16th day of July. This was the culmination of the contest between Governor Reeder and the Territorial Legislature.

Governor Reeder was deeply humiliated, and realized that it would be impossible for him to act in conjunction with the Legislature at its forthcoming session. He was completely defeated. The Legislature had shown that it did not intend to be governed by his suggestions, and that his official actions would be entirely ignored. He, however, went to the Shawnee Mission, and was present at the opening of the session on the 16th day of July. The Legislature had in mind one thing while the Governor had in mind an entirely different thing. He designed a code of laws for the good of the Territory, and under which the Territory

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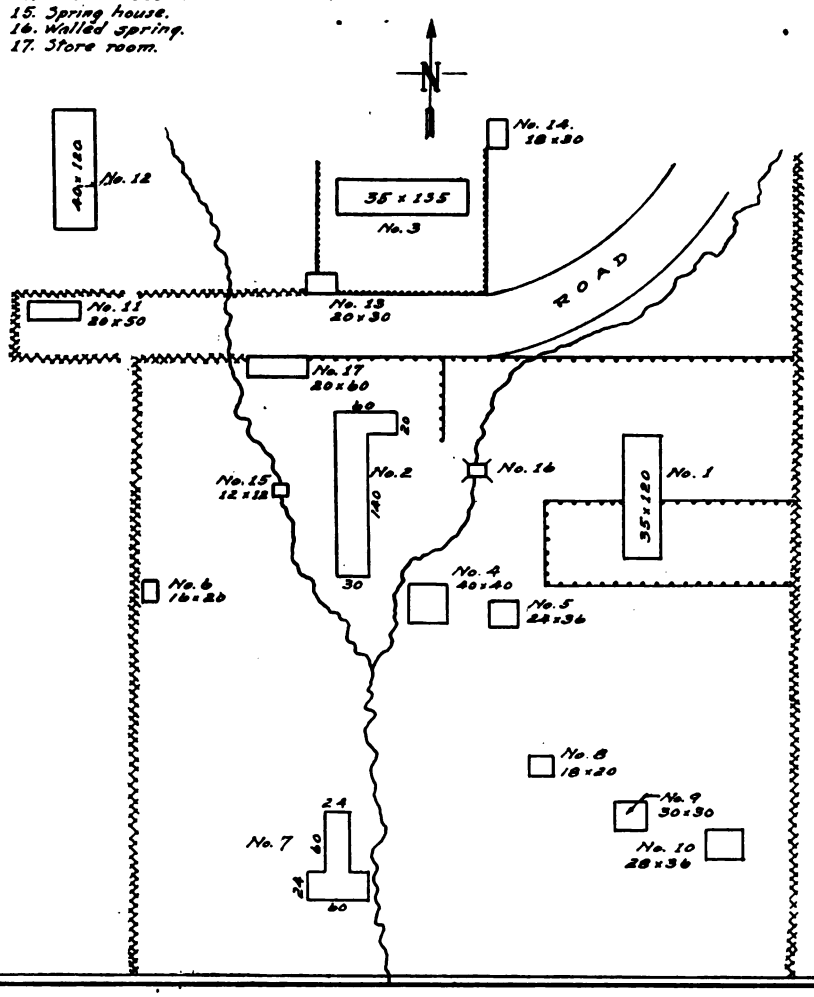
PLAT OF
SHAWNEE MISSION GROUNDS
JOHNSON COUNTY KANS.
RESTORATIVE OF THEIR CONDITIONS ABOUT 1855.

REFERENCE.

1. School building and dormatory, Used by Kansas legislature in 1855, the upper house meeting in chapel and the lower, in room above.
2. Superintendent's home and boarding house.
3. Female ward, used also as superintendent's house, and by legislature and state officers. Built by Berryman.
4. Wash house.
5. Smoke house.
6. Carpenter's shop.
7. Old mill.
8. Log cabin.
9. Blacksmith shop.
10. Wagon shop.
11. Wagon shed.
12. Stable.
13. Carriage house.
14. Wood house and Bee house.
15. Spring house.
16. Walled spring.
17. Store room.

Rail fences. XXXXXXXXXX
Board " : ----------
Picket " : ==========



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might develop and determine for itself in the usual way what its institutions would be. The Legislature had determined that it would establish slavery in Kansas through the legal machinery, under the Organic Act, that machinery being its own body. No one was deceived as to what it would attempt to do. Every thing else was subordinate to this intention. The first bill passed at the adjourned session was for the establishment of a ferry over the Missouri River at the town of Kickapoo. When this bill was laid before the Governor, he immediately wrote a message overthrowing it. In his message he informed the Legislature that it was an illegal body and had no right to enact any legislation whatever. His ground for that conclusion was that the Legislature had taken itself from the legally established seat of government and gone into session at a place not the seat of government. This message was dated at Shawnee Methodist Mission, July 21, 1855. Upon this issue the Legislature requested the decision of the United States Court of the Territory. The question was submitted through the United States District Attorney, and the decision was handed down by Chief Justice Lecompte. This decision settled the legality of the action of the Legislature in favor of that body, and, while it was always contended by the Free-State people that the Legislature was, in fact, no Legislature, and had no right to enact laws for Kansas Territory, there is now no doubt but that it was a legally constituted body, having the recognition of the President, and having the right to enact laws.

Having thus fortified itself, the Legislature determined to secure the removal of Governor Reeder, if it were possible to do so. A Memorial to President Pierce was drawn up preferring various charges against the Governor and asking for his removal from office. The Governor was vulnerable, and many of his actions had been laid before the President for investigation prior to his visit to Washington. Senator Atchison had determined upon the removal of Reeder immediately after the election for Delegate to Congress. In his interview with the President, Governor Reeder had been compelled to admit that he owned lots in the towns of Leavenworth, Lawrence, Tecumseh, Pawnee and divers other projected towns in Kansas Territory. These lots he had secured at a low rate, which, even then, was probably much in excess of their true value. Some of these towns probably gave the Governor lots hoping to secure his influence in their aspiration to become the capital of the Territory. He had purchased land near Topeka and near Lawrence, and his friends had invested in property in the Territory. He had notified the Pawnee Town Association in December, 1854, that he would make that town the capital of Kansas. He had secured, or had taken steps to secure, a considerable body of land near that town. It is very unfortunate that he had entered into this speculation, for it was now seized on by his enemies as an excuse for his removal. There was nothing wrong about his having secured this property, for there is no doubt that he had as good a right to invest his money in Kansas as did any other citizen. When he left the President in this last interview, Mr. Pierce had told him that if he removed him, it would be because of his land speculation, saying, "Well,

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I shall not remove you on account of your political actions. If I remove you at all it will be on account of your speculation in the lands of the Territory." The President had urged him to resign, promising him another position. This the Governor did not wish to accept. He returned to Kansas and took up the fight with the Legislature, as we have seen. The Memorial from the Legislature to the President, requesting the removal of Governor Reeder, was as follows:

To His Excellency, Franklin Pierce, President of the United States:

The undersigned, your memorialists, members of the Council and House of Representatives of the Territory of Kansas, respectively represent that a crisis has at length arrived in the affairs of this Territory which makes it imperative that you should interpose, so that our Government (the wheels of which have been dragging so heavily heretofore, and which have at last come to a stand) may be relieved of the clog which has been attached to it, and be enabled to move once more in its regular course. A brief history of our Territory written and unwritten, since its organization, will enable you to see the causes which have conduced to this end; and the remedy being in your own hands, we trust and believe you will not hesitate immediately to apply it.

On the 30th of May, 1854, more than one year since, the bill opening the Territory for settlement, west of Missouri and Iowa, was passed. The public, excited by the glowing descriptions of those who had been in the Territory, and by the debates in Congress regarding the future political destiny of this newly-opened country, immediately rushed in by thousands from every quarter of our widespread Union. No Territory, ever organized by this Government, has been peopled with half the rapidity of this, save California, owing to the unnatural stimulus above alluded to. A people thus numerous—thus diversified from birth, education, previous associations, and present intention and object required, it seems to us, for their government, the most prompt action on the part of those called on to preside over them. From the month of May until October, there were no officers here; the Governor appointed to organize the Territory under the provisions of the bill, arriving in the latter month. So soon as it was ascertained, by rumor, that he had arrived (for he never in any way made it public), it was presumed that he would immediately order the census of the Territory to be taken, an election for members of the Legislative Assembly to be held, and call them together at once, so that laws might be enacted for the preservation of the public peace and weal. But what was the course pursued by that official? The citizens of our Territory received him with open arms, and even in Missouri, the State bordering on our line, he was tendered a supper on the day of his arrival, to enable him to meet with the distinguished gentleman of that section of Missouri, together with the private citizens of the vicinity.

Received thus frankly and cordially, both in Kansas and on the border, urged time and again to provide for the election of a Legislature—the people knowing of no laws in force, and the Governor, having no settled opinion upon the subject, appointing Justices of the Peace in various sections of the Territory, some of whom enforced the Pennsylvania, some the Ohio and some the Missouri code, acting, as a matter of course, under his instructions—still with all these various imperative necessities urging his compliance, he heeded them not, but assumed himself to act as the law-making power, by prescribing the various codes above, and usurping the powers of the judiciary in issuing the writs, and sitting as an examining court upon a charge of "assault with intent to

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kill," the prisoner being at the time incarcerated within the walls of a prison, and before discharging him demanding his recognizance, which was taken however by a Judge whose district had, as yet, not been assigned him. In the midst of all this confusion, turning coolly from those who had thus warmly welcomed him, associating with those only from one particular section of the Union, persisting in not adopting that course which alone could produce order from this chaos, it is not singular that loud complainings should be heard, and that sinister motives should be attributed to him for his conduct.

The Governor then commences his course of speculation, beginning by arraying himself directly in opposition to the opinions of the General Government, as expressed by the Attorney General in relation to Delaware lands, by purchasing property on those lands, and stating that the opinions of the law officer of the General Government were incorrect, and of no force if correct, thus setting an example of insubordination to those less informed, and which may end in a conflict between the people of this Territory and the General Government, unless the rights of the squatters on those lands are recognized in conducting the sales of them. He then commences a tour of observation through the Territory for the ostensible purpose of preparing for a census, etc., but which from his subsequent conduct, proved to be only one of speculation, for he was known to be a large shareholder in many of the various town companies throughout the Territory. Finally, in the month of February, when the snow was some two feet in depth, he ordered a census to be taken (the herculean task which had so much alarmed him), and it was so taken in about three weeks, under the unfavorable circumstances above stated.

A proclamation was then issued for an election of members to the Legislative Assembly to be held on the 30th of March, 1855, said proclamation containing a section claiming by the Governor the right to decide contested elections, thereby virtually claiming the right to override the will of the people, as expressed through the ballot box, and to fill the Legislature with whomsoever he chose—virtually disfranchising every man in Kansas Territory, and also enacting a Maine Liquor Law, by providing for the destruction of liquor under certain circumstances. After the contest was over, and the result known, he delayed the assembling of the body until the 2d day of July, more than three months afterward, and that, too, when the whole Union was convulsed on account of alleged outrages in Kansas Territory, and yet no law for the punishment or prevention of them. When at last they did meet upon the call of the Governor, at a point where they had previously in an informal manner protested against being called, with an avowal of their intention to adjourn to the point at which they are now assembled, for the reasons that the requisite accommodations could not be had; where there were no facilities for communicating with their families or constituents; where they could not even find the common food to eat, unless at an enormous expense, there being no gardens yet made by the squatters; where the house in which we were expected to assemble, had no roof or floor on the Saturday preceding the Monday of our assembling, and for the completion of which the entire Sabbath, day and night, was desecrated by the continued labor of the mechanics; where at least one-half of the members, employes and almost all others who had assembled there for business or otherwise, had to camp out in wagons and tents during a rainy, hot season, and where cholera broke out as a consequence of the inadequate food and shelter, and where under all these circumstances of annoyance, they finally passed an act adjourning to this point, where ample accommodations are provided, and where the Governor himself had previously made it the seat of government, they were met by his

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veto, which is herewith transmitted. The bill was reconsidered by the House in which it originated, and passed by the majority prescribed by the organic act, then acted upon by the other House, and also passed by the same prescribed majority—a copy of which proceedings is herewith transmitted. Upon our assembling at this point, in accordance with a concurrent resolution passed as contemplated by the law, transmitted to you, we passed various bills, which were sent to the Governor for his approval. On the 21st of July, he returned the bills with his objections to signing them (all of which we herewith transmit), addressed to the "House of Representatives of Kansas Territory," and "to the Council of the Territory of Kansas," respectively—by which he assumes that we are not the "House of Representatives of Kansas Territory," nor the "Council of the Territory of Kansas," which to say the least of it, is a glaring inconsistency, yet not more so than the rest of the document, which you will perceive by reading the points made by him. We will briefly state them, without an argument to show their utter fallacy, so shown by himself as we are confident that you will perceive them at a glance. One point is that Fort Leavenworth is the seat of government, made so by the organic act, that a law passed anywhere else than at the seat of government would be illegal.

That he had the right to call the Legislature to meet at a point not the seat of government (that is, Pawnee), and that laws enacted there *(though not the seat of government)* would be legal, thereby destroying the preceding proposition.

That we could have passed an act at Pawnee, though not the seat of government, and therefore illegal, establishing a permanent seat of government, and by an ILLEGAL ADJOURNMENT—because passed at a point not the seat of government—have met at such permanent seat of government, and there have made legal and binding statutes; or, by the same ILLEGAL process, have adjourned to Fort Leavenworth, the seat of government, and there have made legal and binding statutes.

We would respectfully represent that if the above are the honest opinions of Governor Reeder, you must admit his utter incompetency to discharge the high duties imposed upon him, and he should be removed. If they be *not* his honest opinions, then he is acting with the sinister design of defeating the whole object for which we are assembled.

If he believes that Fort Leavenworth is the seat of government, and that laws passed anywhere else than at that point would be illegal and void, then to call us to Pawnee to legislate is a willful, deliberate and base attempt to render all our acts, of whatever character, wholly illegal and void, because, by his own showing, Pawnee is not the seat of government, and acts passed anywhere else than at the seat of government are of necessity void, and for which he should be removed.

We will not proceed further with this, but will simply aver that, from the action of Congress, Fort Leavenworth is not now the temporary seat of government. The bill provides, in the 31st section, that Fort Leavenworth shall be the temporary seat of government, and that such buildings as may not be needed for the purpose of the military shall be used by the Governor and Legislative Assembly. A subsequent clause of an appropriation bill provides for the appropriation of $25,000 to be expended upon the contingency, or rather the appropriation made upon the contingency, that the requisite buildings could not be obtained from the military or War Department.

That appropriation having been made and paid over, proved conclusively that the contingency mentioned has arisen, and that the buildings are refused. A subsequent appropriation made on the 3d of March, 1855, provides that the sum of $25,000 be appropriated, and that, in

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addition to the amount already appropriated, shall be expended in making suitable buildings at the *permanent seat of government*. Now, if Fort Leavenworth is the seat of government and the place for the Legislature to meet and transact business, then this absurd consequence follows: That they must meet and transact business at Fort Leavenworth; that they shall not use any of the buildings already erected there; and that they shall not have any of the money to erect other buildings which could be occupied.

Now, as the law never contemplated an absurdity such as this, forcing a Legislative Assembly, even though composed of squatters, to meet out of doors, and forbid their erecting houses, we infer that the 31st section of the bill is virtually repealed; and having no seat of government created by competent authority, the selection of the point for the temporary seat of government legitimately belongs to the Legislative Assembly whenever and wherever convened. And we further submit that, according to the spirit and letter of the law, we have that right, even if Fort Leavenworth be the seat of government. We submit that as all government is for the good of the governed, and as this is one of the legitimate subjects of legislation vested in the people of every State in the Union, and as there could have been no intention on the part of the wise and good men who framed this bill, when they fixed the seat of government temporarily, to have done so other than for the comfort and convenience of the sovereigns; that they never intended to fix an arbitrary rule which the people could not alter, if found convenient; that it was more a *permission granted* by Congress that we might have the use of those buildings or sit at that point than a *command* that we *should not* select another point, if more desirable.

We will and do further represent that the position assumed by the Governor is a despotic and tyrannical one, calculated to lead to the worst consequences if he is not forthwith removed.

Already threats in advance have been made that no respect will be shown to any act passed by this Legislative Assembly, whensoever and wheresoever such act or acts may be passed. Several papers in the Territory boldly advocate this position. A man professing to have been elected to this Legislature (M. F. Conway), who afterward tendered his resignation, advocates this doctrine of resistance. The Governor is, and has been, on terms of intimacy with these very persons; and with him as their leader, they may be led to the commission of acts which will inevitably result in widespread strife and bloodshed.

Now, we submit that the course pursued by the Governor is unwarrantable and factious, even if he be right in the opinions advanced, that our acts are illegal and void. The courts are the tribunals to decide this issue, and no man, Governor or private citizen, has a right to set the laws at defiance, even if unconstitutional and void, until so decided by the proper courts.

This principle is so well understood that we are not prepared to imagine that Gov. Reeder is ignorant of it, even taking his own arguments as an index of his intelligence; and there must be a willful and base design to lead the less informed into the commission of treasonable acts, for which he should be removed.

In conclusion, we charge the Governor, A. H. Reeder, with willful neglect of the interests of the Territory; with endeavoring by all the means in his power to subvert the ends and objects intended to be accomplished by the "Kansas and Nebraska Bill"; by neglecting the public interests and making them subservient to private speculation; by aiding and encouraging persons in factious and treasonable opposition to the wishes of the majority of the citizens of the Territory and

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the laws of the United States in force in said Territory; by encouraging persons to violate the laws of the United States, and set at defiance the commands of the General Government; by inciting persons to resist the laws which may be passed by the present Legislative Assembly of this Territory; and, finally, by a virtual dissolution of all connection with the present Legislative Assembly of this Territory.

For these, and many other reasons, we respectfully pray Your Excellency to remove the said A. H. Reeder from the exercise of the functions now held by him in said Territory; and represent that a continuance of the same will be prejudicial to the best interests of the said Territory. And as in duty bound, we will ever pray, etc., etc.

THOS. JOHNSON, *President of the Council.*

JOHN H. STRINGFELLOW, *Speaker of the House.*

Members of the Council—William Barbee, A. M. Coffey, D. A. N. Grover, Richard R. Rees, H. J. Strickler, E. Chapman, John W. Forman, A. McDonald.

WILLIAM P. RICHARDSON, *Secretary of Council.*

J. A. HALDERMAN (Attest).

Members of the House—Joseph C. Anderson, O. H. Brown, A. S. Johnson, M. W. McGee, Samuel Scott, George W. Ward, James Whitlock, H. W. Younger, John M. Banks, D. L. Croysdale, R. L. Kirk, H. D. McMeekin, W. H. Tebbs, Thomas W. Watterson, Samuel A. Williams, F. J. Marshall, Joel P. Blair, H. B. C. Harris, William G. Mathias, A. Payne, A. B. Wade, Jonah Weddell.

A. WILKINSON, *Clerk of the House.*

JAMES M. KYLE (Attest).

The letter removing Governor Reeder was dated July 28, 1855, and is as follows:

DEPARTMENT OF STATE, WASHINGTON, JULY 28, 1855.

Sir: Your communication of the 26th of June has been received, and submitted to the President. In reply, he directs me to say that, after due consideration of the explanations which you offer in regard to your purchases of Kansas half-breed lands, and the facts in the case as reported to him and communicated to you by the department of the interior, he finds nothing in those explanations to remove the impressions which he had previously entertained of the character of the transaction. He directs me further to say, that your communication is not less unsatisfactory in what it altogether omits to explain. The letter addressed to you by this department on the 11th ultimo distinctly mentioned other grave matters of accusation of the same class. You assume that, when circumstances exist in the conduct of a public officer which require the question of his dismissal from office to be considered, it is the duty of the executive to make formal specifications of charge, and upon this erroneous presumption you withhold explanation in regard to the matters alluded to, although they were peculiarly within your own knowledge, and you could not but be well aware that some of them, more especially the undertaking of sundry persons, yourself included, to lay out new cities on military or other reservations in the territory of Kansas, were undergoing official investigation within that territory.

The incompleteness of that investigation at that time prevented its being spoken of explicitly by this department; but it was taken for granted that you would have cheerfully volunteered explanations upon this subject, so far as you were concerned, more particularly as you had summoned the legislative assembly of the territory to meet at one of the places referred to, denominated in your official proclamation

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"Pawnee City." I have, therefore, by the direction of the President, to notify you your functions and authority as governor of the territory of Kansas are hereby terminated.

I am sir, respectfully, &c.,

W. HUNTER, Acting Secretary.

Andrew H. Reeder, Esq., Governor of the Territory of Kansas.

On the 31st of July his removal was announced officially and on the 16th of August the Governor sent the following letter to the Legislature:

To the Honorable Members of the Council and the House of Representatives of the Territory of Kansas:

Gentlemen:—Although in my message to your bodies, under date of the 21st instant, I stated that I was unable to convince myself of the legality of your session at this place, for reasons then given, and, although that opinion still remains unchanged, yet, inasmuch as my reasons were not satisfactory to you, and the bills passed by your houses have been, up to this time, sent to me for approval, it is proper that I should inform you that after your adjournment of yesterday, I received official notification that my functions as Governor of the Territory of Kansas were terminated. No successor having arrived, Secretary Woodson will of course perform the duties of the office as Acting Governor.

A. H. REEDER.

The Territorial Secretary, Daniel Woodson, became thus the Acting Governor of Kansas Territory. He was in complete accord with the designs of the Legislature and with the intention of the South to force slavery on Kansas. In this purpose he never wavered, and he never scrupled at anything he believed would accomplish that end.

The Legislature having won its battle with the Governor, and being legally organized and officially recognized and without restraint, proceeded with the transaction of its business in a rapid manner. It enacted a code of general laws modeled on those of the State of Missouri. In many of its sections the Missouri laws were taken *in toto*, a provision being added that where the name Missouri occurred, Kansas Territory was to be understood as inserted. These laws had been taken by Missouri from the code of New York, and were entirely unobjectionable. In principle many of them are still the laws of Kansas, although the code was repealed when the Free-State men came into power. The Legislature, however, enacted a slavery code which was infamous. It fixed the penalty of death for any person who should decoy away slaves or incite insurrection among them. It disqualified as jurors all anti-slavery citizens. To cause any rebellion among slaves, the penalty was death. To, in any manner, induce any slave to conspire against a citizen of the Territory, was death. To present or circulate any book or paper for the purpose of inciting rebellion or revolt on the part of slaves, free negroes, or mulattos, against any citizen of the Territory, was to incur the penalty of death. All the officers for the counties in the Territory were appointed by the Legislature. These were to hold their offices for two years, and until after the general election of 1857. Those officers necessary to be appointed after the adjournment of the Legislature were to be named by some officer which the Legislature had already appointed. The per-

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manent seat of government was fixed at Lecompton, in Douglas County, about nine miles west of Lawrence. The Free-State citizens of the Territory were disfranchised by the following section:

SECTION 1. Every free white male citizen of the United States, and every free male Indian who is made a citizen by treaty or otherwise, and over the age of twenty-one years, who shall be an inhabitant of this Territory, and of the county or district in which he offers to vote, and shall have paid a Territorial tax, shall be a qualified elector for all elective offices; and all Indians who are inhabitants of this Territory, and who may have adopted the customs of the white man, and who are liable to pay taxes, shall be deemed citizens; *Provided,* That no soldier, seaman, or mariner in the regular army of the United States shall be entitled to vote by reason of being on service therein; and *Provided* further, that no person who shall have been convicted of any violation of any of the provisions of an act of Congress entitled, "An Act respecting Fugitives from justice and persons escaping from the service of their masters," approved February 12, 1793, or of an act to amend and supplementary to said act, approved September 18, 1850; whether such conviction were by criminal proceeding or by civil action for the recovery of any penalty prescribed by either of said acts in any courts of the United States, or of any State or Territory, of any offense deemed infamous, shall be entitled to vote at any election, or to hold any office in this Territory; and *Provided* further, That if any person offering to vote shall be challenged, and be required to take an oath or affirmation, to be administered by one of the Judges of the election, that he will sustain the provisions of the above recited acts of Congress, and of the act entitled, "An act to organize the Territories of Nebraska and Kansas," approved May 30, 1854, and shall refuse to take such oath or affirmation, the vote of such person shall be rejected.

A law was passed organizing a Territorial Militia. The two Major-Generals provided were A. M. Coffey, and William P. Richardson.

Four Brigadier Generals were created: William A. Heiskell, William Barbee, F. J. Marshall and Lucien J. Eastin.

Eight Colonels were created as follows: William C. Yager, George W. Johnson, S. A. Williams, Skilsman Fleming, Robert Clark, James E. Thompson, David M. Johnson and Archibald Payne.

Hiram J. Strickler was appointed Adjutant and Thomas J. B. Cramer was appointed Inspector General.

These slavery laws were unreasonable, and their barbarous provisions made them impossible of execution. The Free-State men were prohibited from holding office, yet were taxed. They were not allowed to have any voice in the government, but were required to sustain it with their substance. It would seem that the Legislature designed to goad the Free-State men into resistance of these laws. But not satisfied with the infamies already enacted, on the last day of the session, a concurrent resolution was offered by the Speaker, while Mr. Anderson was in the chair, and it was adopted as follows:

WHEREAS, The signs of the times indicate that a measure is now on foot fraught with more danger to the interests of the Pro-slavery party

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and to the Union than any which has yet been agitated, to wit: To organize a national Democratic party; and

WHEREAS, Some of our friends have already been misled by it; and

WHEREAS, The result will be to divide Pro-slavery Whigs from Democrats, thus weakening our party one-half; and

WHEREAS, We believe that on the success of our party depends the perpetuity of the Union; therefore,

Be it Resolved by the House of Representatives, the Council concurring therein, That it is the duty of the Pro-slavery party, the Union men of Kansas Territory, to know but one issue, Slavery; and that any party making or attempting to make any other is, and should be held, as an ally of abolitionism and disunion.

This resolution was intended to define the issue upon which the battle would be waged by the slave power for supremacy in Kansas. It fixed the political status of the citizens of Kansas Territory. That all Anti-slavery citizens of the Territory would revolt at the slave code and the restrictions placed upon them was a foregone conclusion. The Legislature adjourned without any provision for a session in 1856, but in October of that year members of the succeeding House were to be elected.

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GEN. JAMES H. LANE, FIRST U. S. SENATOR FROM KANSAS

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CHAPTER XXII

LANE

The issue of the *Kansas Free State* for April 30th, 1855, contains the following item of news:

Distinguished Arrival

Col. James H. Lane, late member of Congress from Indiana, arrived in our place on the 22 inst., with his family, all in good health and spirits. He is comfortably ensconsed in a log cabin, and will in all probability remain permanently with us. His design is to live in the Territory.

James Henry Lane was born in Kentucky, near Lawrenceburg, Indiana, June 22, 1814. His father was Amos Lane, a noted Indiana politician, and credited with being the first man in Indiana to suggest the name of Andrew Jackson for President of the United States. The Lanes were of the stock called by Prentis, "The from everlasting to everlasting Scotch-Irish." Amos Lane was of New England ancestry, but as a young man went to New York. At Ogdensburg he met and married Miss Mary Foote. He was born in Connecticut, and was of a distinguished New England family. She was a woman of piety, and was for forty years, a member of the Methodist Episcopal Church. She was possessed of more than an ordinary share of good common sense, and a desire to accomplish something in the world. She was the inspiration of her husband's efforts to enter the practice of law.

Amos Lane came from New York to Cincinnati as early as 1804. In the spring of 1808 he moved to Lawrenceburg, Indiana. He was there refused admittance to the bar. He then crossed the river into Kentucky, and after further moving about, returned to Lawrenceburg in 1814. In 1816 he was elected to the Legislature of Indiana, and was Speaker of the House. He was elected two other terms in the Legislature, and in 1833 he was elected to Congress, where he served several years. Until his death, in 1850, he was the ruling power in politics in southern Indiana in the Democratic party.

It was to his mother that James H. Lane owed most of his genius. She was, in every sense, a superior woman, and she has been spoken of as having had a "coal of fire in her heart," so ambitious, so restless, and so full of energy was she. Whatever education her son obtained she imparted. She designed him for the ministry in the church of her faith.

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Her life was one of constant effort in his younger days. While her husband traveled over the country to attend the migratory "Circuit Court," she kept boarders and taught school "in her own cabin." In the days of Lane's boyhood, Indiana was the frontier. The noisy, turbulent, often dangerous, frontier is a school better equipped to develop strength of character, self reliance and resource in emergency than any other. Theory counts for but little—action for everything. In such frontier school did Lane become familiar with the motives and forces that move man, especially frontiersmen. The exaggerated style of speech, the boisterous and aggressive manner, the personal courage, the iron constitution, the remarkable and tireless persistency in the prosecution of an enterprise once engaged in—these were the inheritance from his environment on the frontier. In this school was Lane well learned. His faults (and he had many), were also those of the frontier, where they were not considered of so great consequence as in older and better ordered society.

While he was well learned in this rude frontier school, it must not be supposed that he was unlettered. He possessed a fair knowledge of the elementary branches of learning. For some years he was engaged in trade in Lawrenceburg in company with a brother-in-law. It seems to have been a pork packing establishment, combined with the forwarding of the produce of the country to market. In those days New Orleans was the only market of consequence for the productions of the Ohio Valley. He, like Lincoln, pushed his own flat-boat back and forth, to and from that mart, but in this vocation he was handicapped by his peculiar bent of mind. Such occupations are ever irksome to natures contented only to lead. In their view, the result is not worth the effort. They long for extremes, for opportunity, for leadership. Lane was a born leader of men. He saw in politics a field exactly to his liking and no doubt his tendency in that direction was inherited. He studied law, was admitted to the bar and practiced in partnership with his father. His entrance into politics was in a small way—an election to the common council of Lawrenceburg. He was repeatedly re-elected. He made his first public speech in 1832 in favor of General Jackson. It is said that his effort was a very creditable one. He was elected to the legislature in 1845, and in the winter following was a candidate before the convention of his party for the nomination for the office of Lieutenant Governor, being defeated by only one vote.

In the fall of 1842 he was married to Miss Mary E. Baldridge, a granddaughter of General Arthur St. Clair.

In July, 1846, Lane raised a company of volunteers at Lawrenceburg for the Mexican War. He had his company ready before the requisition of the President reached the State of Indiana. He marched his company, of which he had been elected Captain, to New Albany. There it was made a part of the Third Regiment of Indiana Volunteers, and Lane was elected Colonel of the Regiment. This Regiment hurried to Mexico and was made a part of General Taylor's command. Colonel Lane served under Taylor until the spring of 1847. In the battle of Buena Vista he distinguished himself as a brave soldier and an able officer. In this

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battle the command of a large part of the army devolved upon him, and he acquitted himself with honor.

Colonel Lane returned to Indiana in July, 1847, and raised the Fifth Indiana Regiment, of which he was elected Colonel, and which he took to Mexico. This Regiment was placed under General Butler, and did not reach the City of Mexico until after its capture by General Scott. Colonel Lane was given a responsible position in the army which occupied the city. In this capacity he was very solicitous for the welfare of the Mexican people. So much did they appreciate his efforts in their behalf, that they presented him with a costly Mexican flag, embroidered in gold. They also presented him with a very fine sword. These valuable articles were taken from his house by the guerillas who sacked Lawrence under the lead of Quantrill. Aaron Palmer and a companion secured these valuable articles, and in their ignorance they supposed the Mexican flag was one which had been presented to Lane by the ladies of Leavenworth. It was dark in color, and the guerillas called it "Lane's black flag." Palmer and his companion cut it in two. Each wrapped the half of it around his body under his clothing, and thus they carried it into Missouri.

In 1849 the Democratic party of Indiana nominated Lane for Lieutenant Governor and he was elected by a large majority. His party made him an elector at large in the Presidential campaign of 1852. He was elected, and he cast the vote of the State of Indiana for Franklin Pierce for President. He was elected by the Democratic party to the 32nd Congress and voted for the Kansas-Nebraska bill. He afterwards said that he voted for the bill because he was instructed to do so.

There was for many years in Kansas a persistent repetition of the terms of an agreement said to have been made between Lane and Douglas. Lane was first opposed to the Kansas-Nebraska bill. Douglas succeeded in convincing Lane that the passage of the bill would make him (Douglas) President of the United States. Lane was to go to Kansas, organize the Democratic party there, and when the Territory should be admitted as a State, he was to be elected United States Senator and control the patronage of the State under the administration of Douglas. In the meantime he was to control the patronage of the administration then in power, so far as the influence of Douglas could make it possible. There is no doubt but that some such arrangement existed between Douglas and Lane.

Early in April, 1855, Lane began his preparations to move to Kansas. He came by way of St. Louis, where he took boat for Leavenworth. John Armstrong, one of the founders of the City of Topeka, had spent the winter in St. Louis, where he had gone after his visit to the site of Topeka, to look after some nursery stock which he had shipped from New York. By chance he took the boat up the Missouri River upon which Lane and his family had embarked. There was with Lane, Thomas C. Shoemaker, who had been appointed to a position in the Public Land Office of the Territory. Mr. Armstrong said that both Lane and Shoemaker had their families with them. In conversations held with Lane as

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the boat ascended the Missouri, Armstrong convinced Lane that Lawrence was a better location for him than Leavenworth. He left the boat at Kansas City, and he and Armstrong went to Westport to secure conveyance to Lawrence. By stipulation with the keeper of a livery stable, a light conveyance was secured for the members of the party, and the household effects were forwarded within a day or two.

In height Lane was well above six feet. His eyes were dark and restless, and when he was aroused they burned with the depth and intensity of charcoal fires. His features were good—forehead high, nose finely cut, mouth firm, chin and jaw square and heavy. His arms were long, and every old time Kansan delighted to tell of his long and bony forefinger, and its potency in all Kansas political affairs. His presence was commanding. Like Cassius, he bore a lean and hungry look. His energy was limitless, his tenacity of purpose was persistent, indomitable. He was possessed of wonderful vitality, and his whole organism was one of vigor and magnetism. He became the leader in establishing liberty in Kansas.

Political rancor reached its greatest height in Kansas, and Lane was often the object of bitter denunciation. In politics he was King, and from the pinnacle of success, he looked down on the raging hate of his enemies. He was the head of the Western population of Kansas—that element which really made Kansas free. The New England emigrants—the promoted emigration—were his implacable foes. Writing of him forty years later, Senator John J. Ingalls said:

> His energy was tireless and his activity indefatigable. No night was too dark, no storm too wild, no heat or cold too excessive, no distance too great, to delay his meteoric pilgrimages, with dilapidated garb and equipage, across the trackless prairies from convention to convention. His oratory was voluble and incessant, without logic, learning, rhetoric or grace; but the multitude to whom he perpetually appealed hung upon his hoarse and harsh harangues with the rapture of devotees upon the oracular rhapsodies of a prophet and responded to his apostrophies with frenzied enthusiasm. He gained the prize which he sought with such fevered ambition.

Ingalls had long before described the oratory of Lane, and had, in fact, made it the model for his own. Here is the characterization of it:

> His voice is a series of transitions from the broken scream of a maniac to the hoarse, rasping gutturals of a Dutch butcher in the last gasp of inebriation; the construction of his sentences is loose and disjointed; his diction is a pudding of slang, profanity and solecism; and yet the electric shock of his extraordinary eloquence thrills like the blast of a trumpet; the magnetism of his manner, the fire of his glance, the studied earnestness of his utterances, finds a sudden response in the will of his audience, and he sways them like a field of reeds shaken by the wind.

Lane did not move immediately for the accomplishment of the purpose for which he came to Kansas. He was studying the conditions then existing in the Territory with a view to finding out what really

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should be done for the interests of the people. From the small amount of energy he exerted in the interest of the Democratic party, it would seem that he had become discouraged as to the outlook in the Territory for that organization. He evidently saw that the Democratic party could not accomplish the work of making Kansas a free State. But he felt that he should at least make an effort to set it up. On the 27th day of July, 1855, a meeting in the interest of the National Democracy was held at Lawrence. It assembled in the office of Dr. J. N. O. P. Wood at seven o'clock P. M. Lane was elected President of the meeting on motion of C. W. Babcock, and Dr. Wood was named as Secretary. Hugh Cameron moved that a committee of five members be appointed to draft resolutions. This committee was composed of Charles E. Chapman, C. W. Babcock, Dr. James Garvin, J. S. Emery and Hugh Cameron. They brought in the following resolutions, which were unanimously adopted.

Resolved, That in the opinion of this meeting, the best interests of Kansas require an early organization of the Democratic party upon truly national ground, and that we pledge ourselves to use all honorable exertions to secure such a result.

Resolved, That we fully indorse and reaffirm the Democratic platform as laid down at the National Democratic Convention held at Baltimore in 1852.

Resolved, That we indorse the principles of the Kansas-Nebraska Bill, and claim the right, unmolested, of exercising all the powers granted to us under the provisions of that bill.

Resolved, That we cordially invite the citizens of all the States of this Union who desire to participate in the management of our affairs to come and settle among us.

Resolved, That as true American citizens, we can appreciate the rights of the citizens of the different States of this Union, both of the North and South, and that by no act of ours will we trample upon those rights or interfere in anywise with their domestic institutions.

Resolved, That, while we observe the rights of the citizens of the different States, we will expect them to reciprocate. That we feel we are fully capable of managing our own affairs, and kindly request the citizens of Northern, Southern, distant and adjoining States to let us alone.

Resolved, That while making this request, we wish it distinctly understood that we appreciate the right of suffrage as the most important privilege guaranteed to us by the founders of our institutions, and that we regard the ballot-box as the palladium of our liberty, and will not, if in our power to prevent, permit the privilege to be wrested from us, or permit the ballot-box to be polluted by outsiders or illegal voting from any quarter.

Resolved, That we will use our best exertions to procure the nomination of National Democrats to office, and will zealously support such candidates.

Resolved, That we cordially invite the co-operation of all National men of either party who prefer principle to faction and union to disunion.

This meeting attracted no attention in the Territory, and next to none in Lawrence. The Pro-Slavery party had already adopted a course. Atchison and his followers knew exactly what they wished to

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do, and desired no help from any Kansas source, especially from Lane and Lawrence. The National Democracy, as understood by Lane and the country at large, was not the Democracy of Price, Atchison, and others in Missouri. This was a special Democracy organized for a certain purpose. Lane determined to cast his lot with the Free-State party. He first met with the Free-State men at a meeting in Lawrence on the 18th of August, 1855, and his speech on that occasion has been preserved. It was as follows:

MR. PRESIDENT:

If I believed a prayer from me would do any good, it would be that you might be imbued with the wisdom of Solomon, the caution of Washington, and the justice of Franklin. I am glad to see so many here this inclement day. It requires wisdom, it requires manhood to restrain passion. I say it as a citizen of Kansas, I wish we had wisdom to-day. There is the existence of a union hanging upon the action of the citizens of Kansas. Moderation, moderation, moderation, gentlemen! I believe it is the duty of each of us to define our position. I am here *as anxious as any of you* to secure a free constitution for Kansas. A lesson I received from childhood was never to speak of man or woman unless I could speak well of them. It is represented that I came to Kansas to retrieve my political fortunes, but you, gentlemen, should know that I was urgently solicited to be a candidate for another term of Congress, but I positively declined. I would vote for the Kansas-Nebraska bill again. I *desire Kansas to be a free State.* I desire to act with my brethren, but not in a manner to arouse the passions of the people of the other States. I would not repudiate the Legislature, but the *acts* of that Legislature which contravene the rights of popular sovereignty.

On account of his having made an effort to organize the Democratic party he was not at first accepted with full confidence by the Free-State people. Lane was soon aware of this fact. He sought an opportunity to make a more extended declaration. He appointed a meeting to be held in Lawrence, stating that he would discuss the political issues of the day and champion the Free-State cause. That meeting was described by Milton W. Reynolds in an article in the *Kansas City Times* in 1885, as follows:

The crowd was immense. They came from their cabins on the prairies (now palaces), from the valleys and the hills. They wanted to know from his own mouth the "Grim Chieftain's" position on political questions. The hour came and the people to hear. Lane was in his best mood. He was prepared for a vituperative, sarcastic, ironical and intensely personal speech. Such the crowd usually likes, or used to in the early days, when men were walking arsenals and crept over volcanoes. Such an analysis of character was never heard before or since in Kansas. It was equal to John Randolph's best effort in that line. His late Democratic associates were denounced, burlesqued, ridiculed and pilloried in a hysteria of laughter by an excited, cyclonic crowd. No one ever afterward doubted where Lane stood. He crossed with a leap the Rubicon of radical politics and burned all his bridges behind him. He was not baptized,—he was immersed in the foaming floods of radicalism. As the whitecaps rose higher on the stormy and tumultuous political sea, Lane contended the stronger and baffled them. Robinson, the safe and conservative leader, slowly but gradually faded from public view,

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and finally was distanced and downed by this erratic son of destiny,—but not until the victories were won and all had been achieved that was meant by the Kansas idea, at least so far as Kansas was concerned; and in the great future it matters little whether Caesar has his party, and Antony has his party, and Pomeroy has his party, if so be the *Commonwealth* has a party. Lane's services for the Free-State cause are imperishable.

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CHAPTER XXIII

ROBINSON

Lane's vindictive rival and most relentless detractor was Dr. Charles Robinson, resident agent at Lawrence of the New England Emigrant Aid Company. Charles Robinson was born at Hardwick, Massachusetts, July 21, 1818. He received a good education. He began the practice of medicine at Belchertown, Massachusetts. In 1843 he was married to Miss Sarah Adams, of West Brookfield. He espoused the cause of John W. Noyes, who established a perfectionist (free-love) colony in New York, and it was charged by the Missourians that he had been an inmate of the Noyes community, but this is probably untrue. His biographers gave his connection with Noyes as standing by him in persecution for his efforts to gain followers. Robinson opened a hospital at Springfield, Massachusetts, in 1845, in connection with Dr. J. G. Holland. In 1846 his wife died. He then moved to Fitchburg, Massachusetts. In the winter of 1848 he was attracted by the intelligence of the discovery of gold in California and joined a Boston company bound for the Pacific Coast.

In California Dr. Robinson headed a band of squatters making an effort to seize the estate of the pioneer Sutter. Sutter had obtained a grant of land from Mexico, and this grant embraced a large portion of the valley of the Sacramento River. As in the case of all Spanish grants, the boundaries were vague and indefinite. Sutter had built a fort, mill, and other factories on his land, and had been in possession of it many years. Robinson was the proprietor of a boarding-house, and he saw in this movement an opportunity for leadership. He placed himself at the head of the squatters, invoked the Higher Law as his justification, and took up arms against the authorities. A battle ensued in which Robinson was wounded. At the election for the Legislature he was chosen a member by this irresponsible element. He later realized, however, that his course in California would not carry him into any extensive leadership, and would not give him a prominent place in the future of the State. He returned to Massachusetts. His course in California has been condemned by the historians of that State.

In the practice of his profession Dr. Robinson had not met with great success. He had depended much on a galvanic battery. Wealth was his chief desire. When Eli Thayer organized the New England Emigrant Aid Company, Dr. Robinson applied for service. In the meantime he had married Miss Sara T. D. Lawrence, of Massachusetts.

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Having passed through Kansas on his way to California, he recalled the beauty of the land. He was employed by Mr. Thayer as resident agent in Kansas Territory at a salary of $1,000 per annum, and directed to proceed to Kansas and select a point for the first settlement of the promoted emigration. He and Charles H. Branscomb selected the site of Lawrence. His judgment in that matter was good, as his judgment in every business transaction always was.

We have seen that Dr. Robinson arrived with a company of emigrants just in time to participate in the election for members of the Legislature. The site at Lawrence had been taken up by pre-emption before the coming of the first party of New England emigrants. The claim of Clark Stearns was purchased for the Aid Company by Charles H. Branscomb for $500. This purchase was not approved by Dr. Robinson, who had determined on another method of securing title to the town-site. Very nearly the same conditions arose concerning the Lawrence site that had existed in California in regard to the land of Sutter. In his account of the matter, Dr. Robinson says the Lawrence conditions were the California conditions on a smaller scale. The dispute about the land distracted the settlers contending for it and those living about it for several months. It was finally settled by compromise.

Dr. Robinson was the leader and recognized head of the promoted emigration in Kansas. In this emigration were many very excellent people. They settled in a body about Lawrence and always acted together. They were well educated, and they were schooled in the matter of public discussion and the formation of resolutions. They brought with them the training engendered by the New England town meeting. At no other town in Kansas were there ever so many public meetings and so many resolutions as at Lawrence. The New England people were always in the minority in Kansas, and even in Douglas County, but they exerted a great influence from the beginning, because of their ability and cohesion. They stood like their own granite hills against slavery. They wrote most that was first published on the early history of Kansas, emphasizing the part played by the New England Emigrant Aid Company, saying little or nothing about the presence or achievement of people from any other part of New England than Massachusetts. They came finally to believe that Kansas was the child of Massachusetts, and that no other State did much towards making Kansas free. The New England people did their full share and proportion and did it well. Few of them attempted to cultivate the soil. They engaged in professions, as teaching, medicine, law, etc. They established boarding-houses and opened trading establishments.

Dr. Robinson knew instinctively that a rival, and an exceedingly troublesome one, had arrived in Kansas, the moment he beheld James H. Lane. They acted together for a time, but there was never any real friendship between them, and neither one was deceived as to the attitude and feeling of the other. Lane always had a great majority of the Free-State people with him. They were Western men from Ohio,

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Kentucky, Indiana, Illinois and other States, and scattered throughout the Territory and without any organization. They were ideal pioneers and were opening homes and their time was fully occupied with their own affairs. Because of this condition, the contests were sometimes close between these two men. Robinson pursued Lane after his death, charging many crimes to him when he could not speak for himself. He attacked Lane's moral character, particularly his conduct toward women, as a reference to his *Kansas Conflict* will show. But in that particular Robinson was the greater sinner. Both were lecherous and lewd.

Robinson was one of the best business men Kansas has ever had. He accumulated a fortune, becoming the most wealthy citizen of the State in his time. Lane cared little for money—cared nothing for it beyond what it would immediately contribute to the support of his family and himself. A fortune did not appeal to him. Love of money because it was money he could not comprehend. He knew that money was power, but he preferred to move men by a different power.

Robinson was shrewd, cold, suspicious, calculating. Lane was impulsive, warm-hearted, generous, magnetic. Robinson kept to the office, the companionship of men. Robinson looked well beyond every transaction, political and otherwise, to the dollar at the other side. He would establish a free State, but he would compel the process to yield him a fortune for his efforts. He was patriotic, but his patriotism was not free from selfish motives. Lane found his recompense in the joys of leadership. His patriotism was not tainted with self-interest. He sought office for the political power it gave him. He was a follower of Jackson, and a spoilsman. He believed in a political organization, a political machine. He was the greatest political organizer Kansas ever had, and his work—his methods—remained in evidence a generation after his death. Indeed, though our institutions are modified, the political methods of Lane still survive in Kansas. The result of his genius was the establishment of Kansas as a free State. It is not contended that he did that glorious work unaided. Many helped. But Lane was the leader. He was a politician, as he was compelled to be. But he was more. His political action was a means to an end—and that end was the exaltation of Kansas—patriotism—statesmanship. He forced the building of the Kansas Pacific Railroad up the Kansas River, not as a promoter, but in the interest of the State. He was for an educational system in the interest of the people. He gave a tract of land for the Kansas University. Robinson was always credited with a similar gift, but no evidence has been found that he ever gave an acre until by will and after death. No two men were ever more directly opposite in temperament, method, the paramount objects of life. Yet Kansas needed both. Property rights are only subordinate to human rights. There must always be men who see to it that property rights are developed, conserved, protected. This office Robinson performed for early Kansas.

Dr. Robinson had been one of the fourteen armed supporters of

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Governor Reeder at the Shawnee Mission, April 6, 1855, when the Pro-Slavery members of the Legislature, armed with their certificates of election, announced that they would ignore the supplementary election for the members thrown out. It may have been determined at that time by Governor Reeder and his armed friends, that the existing Territorial Government, or at least that the enforcement of the actions of the coming session of the coming Legislature would be resisted by force, for Dr. Robinson immediately sent George W. Deitzler to Boston to secure a stock of Sharps' rifles. Mr. Deitzler presented the letter of Reeder to Eli Thayer at Worchester. Going at once to Boston, Mr. Thayer called the Executive Committee of the New England Emigrant Aid Society into session. This committee, within an hour, delivered to Mr. Deitzler an order for one hundred Sharps' rifles, and he left at once for Hartford, arriving there Saturday evening. The rifles were packed the next day, Sunday, and Deitzler started back to Kansas with them on Monday. They were marked "Books." Deitzler had taken the precaution to remove the cap-tubes from the guns, carrying them with him. This would render the rifles useless should they fall into the hands of the Missourians. It may have been intended that these rifles should be used in repelling the Missourians should they come over to contest the supplementary election.[1]

Dr. Robinson also sent James B. Abbott, July 26, 1855, to Boston, to secure more guns. He says he did so because of the satisfaction felt in Kansas over the presence of the first shipment of Sharps' rifles. Mr. Abbott secured his guns through Amos A. Lawrence—one hundred Sharps' rifles. He also secured a small brass howitzer. He brought these arms safely into Kansas. Both he and Mr. Deitzler brought with the rifles a large supply of ammunition for the same.[2]

In the letter given Abbott, Robinson says, "In my judgment the rifles in Lawrence have had a very good effect, and I think the same kind of instruments in other places would do more to save Kansas than almost anything else." In the same letter Dr. Robinson stated a great truth, saying: "We are in the midst of a revolution, as you will see by the papers. How we shall come out of the furnace God only knows. That

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[1] For Deitzler's statement describing how he was sent to Boston for these guns and how he brought them to Kansas, see his letter to James S. Emery in the *Kansas Memorial,* page 184. See also the same work for the bill for said Sharps' rifles sent to Thomas H. Webb, Secretary of of New England Emigrant Aid Company. Eli Thayer crossed himself in his testimony on this matter before the committee sent out to investigate the trouble in Kansas. See his testimony at page 884, *Reports of the Special Committee on the Troubles in Kansas.* He said:

"The company furnished these emigrants with no articles of personal property, and never, directly or indirectly, furnished them with any arms or munitions of war of any kind, and never invested a dollar for any such purpose."

[2] For correspondence covering the transactions of Mr. Abbott and Mr. Lawrence, see the *Kansas Conflict* by Charles Robinson, pages 124, 125, 126.

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we have got to enter it, some of us, there is no doubt, but we are ready to be offered." There were Free-State men living at Lawrence who did not agree with Dr. Robinson as to the advisability of having these guns shipped into Kansas for use by the Free-State people, as will be shown by the letter of E. D. Ladd, dated May 23, 1855, and quoted by Dr. Robinson in his *Kansas Conflict.*

LAWRENCE, KANSAS, MAY 23d.

An intense excitement was produced in the minds of a few of our citizens—I need not say who—preceding the election, by the arrival on the *Emma Harmon* of five boxes of *books,* which, on being opened, proved to be, instead of books, one hundred of Sharp's rifles, capable of discharging 1,000 shots per minute. Threats and imprecations were loud and long. "If not sent back immediately they would be thrown into the Kansas;" "there would be an armed force from Missouri here to take them;" "it was the work of the Emigrant Aid Society, for the purpose of overawing and holding in subjection the Western men;" "it was opposed to the Constitution of the United States;"—Heaven save the Constitution if these men are its defenders!—"if there were two or three days before election, they would give us occasion to use them." Such were the feelings and expressions. Even Colonel Lane, the distinguished ex-Congressman of Indiana, who is now one of our citizens, advised their being sent back. No, gentlemen, they never go back, and if they go into the Kansas, we go with them, and we don't go alone.

Having the guns it was necessary to organize a force to use them. A secret order was formed at Lawrence which was variously called, "Defenders," "Regulators" and "Danites." There was a secret ritual for the initiation and observance of members. Dr. Robinson says that a California bully, named Dave Evans, possibly an old Sacramento friend, was employed to use fist and revolver on the Missourians.[3]

On the 4th of July, 1856, Dr. Robinson delivered an address at Lawrence. The following quotations from that address would seem

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[3] The account given by Dr. Robinson at page 129, The *Kansas Conflict.* of the effect of these rifles and the employment of the bully is as follows:

"Notwithstanding the wholesome influence of the Sharp's rifles, petty annoyances were continued by the pro-slavery men whenever the advantage of an encounter was on their side. Two or more in company would pounce upon a Free-State man when unarmed and alone, and do more or less bodily harm. To put an end to this, a secret organization was effected of men pledged to stand by each other under all circumstances, and to see that these assailants were properly cared for. Also a California bully was engaged, and paid by the month to devote his time to the business in hand. This policy proved to be most successful. The name of this man was Dave Evans, and his only instructions were to act on the defensive with his fists and revolver, while with his tongue he might take the offensive according to the merits of each case. While from first to last it was the policy of the Free-State men to do no wrong, and commit no crime, self-defense was always in order. This the pro-slavery men could not understand. Because of the discreet conduct of Free-State men they were at first thought to be cowardly, but by degrees their opponents opened their eyes to the situation."

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to make it clear that he was of the opinion that it would be necessary to soon use force in the conflict then developing with the Missourians.

Should we fail to speak in utter detestation of slavery, and to hurl defiance at the monster on this anniversary of freedom's natal day, especially when the tyrant has already placed his foot upon our own necks, why, the very stones would cry out.

Fellow-citizens, let us for a moment inquire *who,* and *where,* and *what* are we?

Who are we? Are we not free-born? Were not our mothers, as well as our fathers, of Anglo-Saxon blood? Was not the right to govern ourselves, to choose our own rulers, to make our own laws, guaranteed to us by the united voice of the United States?

Where are we? Are we not in the most beautiful country that human eye ever beheld? Is it not, for surface, soil, and productions, worthy to be styled the garden of the world? A wilderness, yet already budding and blossoming like the rose? A new country, yet having the appearance in its diversity of meadow and woodland, hill and dale, of a land long inhabited, and most beautifully and tastefully laid out into parks and groves? With a mild and salubrious climate, a dry, pure atmosphere, must it not soon become the resort of the invalid from the consumptive East and the ends of the earth?

Our situation, geographically, is in the center of this Republic, at the half-way station between the Atlantic and Pacific, the Gulf of Mexico and the British possessions. The "Father of Waters" extends to us his great right arm, and proffers the commerce of the world and a market for all our productions; and the line of steam and telegraphic communication that is soon to encircle the globe will, of course, pass directly through this Territory, thus bringing to our very doors the commerce of China and the Indies.

What are we? Subjects, slaves of Missouri. We come to the celebration of this anniversary, with our chains clanking about our limbs; we lift to Heaven our manacled arms in supplication; proscribed, outlawed, denounced, we cannot so much as speak the name of Liberty except with prison walls and halters looking us in the face. We must not only see black slavery, the blight and curse of any people, planted in our midst, and against our wishes, but we must become slaves ourselves.

In the light of what had occurred in the Territory, anticipation of future trouble was justified. While a different course a year before would have avoided trouble, it was too late, in the summer of 1855, to remedy that primal error. Trouble was inevitable, now. Robinson saw the truth, and was right in preparing to resist by force the aggressions and outrages of the Pro-Slavery Missourians then operating in Kansas. It was certain that their outrages would increase in frequency and ferocity. Robinson was condemned for his preparedness, but there was sound reason and sound sense in his action. If the Free-State men had stood aloof and had not taken sides with Governor Reeder, serious trouble might have been avoided in Kansas, but it is not probable that it would have been. And it was but natural that the pioneers opposed to slavery should be pleased with the Governor's attitude and do what they could to sustain it. Force did not win the victory for freedom in Kansas ultimately, but it did aid much—it held back the Missourians until the anti-slavery settlers from the Ohio Valley had arrived in suf-

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ficent numbers to wrest the Territorial Government from the Missourians at the polls.

The charge that the actions of the Free-State men in Kansas were revolutionary, matters little. They were revolutionary—in fact they became insurrectionary, justifiably so. The repeal of the Missouri Compromise was dangerously near a revolutionary proceeding, as was the organization of promoted emigration for Kansas. But the settlers in favor of a free State had had little part in determining those matters. They stood defenseless on the Kansas plains, their lives in jeopardy. For them it was no theory, but a condition they were not responsible for. To prepare to defend their cabin homes was the beginning of wisdom.

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CHAPTER XXIV

THE BEGINNINGS OF DISORDER

It was to be expected that in the settlement of Kansas Territory, there would be disputes and troubles between the pioneers, even in the absence of the paramount question of slavery. But the slavery issue furnished a source of agitation, discussion and rancorous controversy, which was bound to result in personal conflicts. The course of the Missourians made it inevitable that there would be trouble between Pro-Slavery and Free-State communities and that outrages would be perpetrated on those standing for a free State.

The first homicide to occur in the Territory where the issue of slavery was in any wise involved, occurred on the southeast quarter of section twelve (12), township thirteen (13), range nineteen (19) in what is now Douglas County. On the 29th day of November, 1854, the day of the Territorial election for Delegate to Congress, a party of Free-State men were driving out from the townsite of Lawrence. There were five men in the wagon, among them Lucius Kibbee. They saw four men in the road in advance of them, one riding a mule and three were walking. Two of these men were Henry Davis and J. W. Rollins, Missourians, who probably had claims in that vicinity. The men in the wagon observed one of these Missourians climb to the roof of a small cabin erected by a pioneer settler. The roof was of thatching, probably of prairie grass. Smoke was soon seen rising from this roof, and the men were seen to be tearing the house down as it burned. When the wagon came up to the house, Kibbee, who was driving the wagon, asked Rollins, who was mounted on the mule and who had set fire to the house, why he did it. Rollins drew a revolver and asked Kibbee what business it was of his, saying he would take him from the wagon at the Wakarusa ford and carve him up. Kibbee said he would report him to the civil law. Davis then came up to within fifty yards of the wagon, and exclaimed, "You will report us," using an oath. "I will report you to hell." Stepping back five or six feet he drew a large knife, of that variety known as the Arkansas Toothpick, and struck at Kibbee, missing him by but a few inches. Kibbee told him to go away, that he wanted nothing to do with him. Davis then said he would take Kibbee at the ford and carve him —"yes G——d——n your soul, I will carve you like beef." He then took hold of the wagon and attempted to reach Mr. Kibbee, striking at him twice, saying he would cut his d——d heart out. Kibbee, fearing that he would be killed, drew a revolver and fired at Davis. Kibbee's

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pistol was loaded with eight small shot. They hit Davis in the stomach. Davis held to the wagon an instant, walked a little way, then fell and expired. A few days after the killing, Kibbee delivered himself up, and after a hearing before Judge Elmore, was committed for trial for murder in the first degree. On the 27th day of December, he was brought before Chief Justice Lecompte on a writ of *Habeas Corpus*. John Speer, editor of the *Kansas Tribune*, at Lawrence, attended the trial and reported the testimony offered, which was published in the issue of the *Kansas Free State* of January 3, 1855.

As showing the intolerance of the people of Western Missouri and their feeling in the matter of the establishment of slavery in Kansas, it is well to mention the destruction of the *Parkville Luminary*, at Parkville, in Platte County, Missouri, some ten miles above the mouth of the Kansas River. The town was laid out by Colonel George W. Park, a very enterprising citizen. He later organized the Parkville and Grand River Railroad Company, which constructed a railroad from Kansas City to Cameron, Missouri. He also founded Parkville College, one of the best educational institutions in Western Missouri. He had also established the *Luminary*. He criticised and condemned in mild terms, the actions of the Missouri people in going into Kansas to vote on the 30th of March. It was said that the destruction of the newspaper and the outrages on the proprietors were the result of orders given by Senator Atchison. The best account of this outrage was published in the *Kansas Herald* of April 20, 1855, which is here given.

Inasmuch as all manner of reports have been rife in our city of the destruction of the office and material of the *Parkville Luminary*, alias *Dog Star*, by a number of Missourians, we have taken especial pains to learn the facts of the case. The following telegraphic dispatch, which has been kindly furnished by a friend of ours in Weston, we transfer to our columns for the benefit of our readers:

"PARKVILLE, PLATTE CO., MO., APRIL 14, 1855.

"A large number of the citizens of Platte County assembled here today; sent a committee to Messrs. Parks & Patterson, informing them that at 12 o'clock they would visit their office. Precisely at 12, the crowd commenced pulling down the *Luminary* press, and forming a line, with a man carrying a pole at the head, with the word 'Luminary' written on the top, over which waved the hemp flag, they marched to the river, where the press was deposited. Resolutions were read to the editors, Messrs. Parks & Patterson, requiring them to leave the place immediately. Patterson required to leave in three days, and Parks allowed three weeks to wind up his business. If they do not comply with the resolutions, they were promised a coat of tar and feathers, and, after being rode through the place on a rail, consigned to the Missouri River! Excitement great.

"The *Luminary* was destroyed by the Missourians in retribution for a vile, false and unjust charge made against them through its columns—speaking of the result of the late Territorial election. We quote from its obnoxious article:

" 'There is virtually no law in Kansas, and no security for life and property, save in the sense of honor and justice cherished by every true pioneer. This may save the country from bloodshed; but the Govern-

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ment is held up to ridicule and contempt, and its authority disregarded—Judges of election have been displaced and others appointed; the polls have, in some instances, been guarded with pistols and bowie-knives, and some of those elected are going to the Governor, swearing that, if he does not give a certificate of election immediately, they will 'cut his throat from ear to ear.' Is the flag of our country to be no longer protected? Or are individuals or companies to declare we will, and it must be so, without regard to law? Is this what the authors of the Nebraska-Kansas bill meant by Squatter Sovereignty?' "

"Every one knows that the polls in no district throughout our Territory were guarded with pistols and bowie-knives, but on the contrary, every one—Pro-slavery, Abolitionist and Free-soiler—was allowed to vote without molestation. The returns of the election clearly prove the *Dog-Star's* charges to be unfounded. As to the threat that the *Luminary* says was made the Governor, in case of his refusal to grant certificates of election, we have only to say, it is a palpable lie, and we venture to say that Gov. Reeder would, if asked, give it his most unqualified denial. We know of no language which will more fully describe the iniquity, falsity and injustice of the charges embodied in the *Luminary's* editorial, than a passage in Lucy Stone's denunciation of the Fugitive Slave Law—"An act so black that no language can describe its blackness."

"Will you leave Parkville, gentlemen, or take the tar and feathers?"

In Leavenworth feeling ran high. The famous Salt Creek Valley resolutions were adopted at Riveley's store in that valley. There were various controversies concerning claims among the settlers in that vicinity. The Salt Creek Valley resolutions were endorsed on the 29th of September, 1854, at Leavenworth. On the 4th of the following November, another meeting was held in Leavenworth for the purpose of requiring all persons who had claims in the reservation of the Delaware Indians to immediately occupy them in person or by tenant. At that meeting a Delaware Squatter's Association was organized. On the 2d of December, 1854, a meeting was held endorsing everything that had been done, and providing a court for the trial of disputes arising out of the conflicting claims of the squatters. Malcolm Clark was the first marshal of the organization. He was a member of the Leavenworth Town Company, and a man of energy—a man of enterprise. In the spring of 1855 there was a large emigration into Kansas from the free States. They found it difficult to secure claims in the vicinity of Leavenworth. They complained that Squatter's Associations were holding and protecting claims for non-residents; these non-residents were, of course, Missourians. The Indian title to the land had not been extinguished, and legally no one had a right to go on the Delaware land and stake out a claim. Many of the claims were indirectly in the hands of speculators, who, for a consideration, would turn them over to settlers. There was some opposition to the manner in which the Leavenworth Town Company had secured title to the townsite.

On the 30th of April, 1855, there was a meeting under the "Old Elm Tree" at the corner of Cherokee Street and the Levee, in Leavenworth City. There was considerable excitement at the meeting. Clark

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was active at this meeting. Cole McCrea lived south of Leavenworth, where the National Military Home was later established. He asked a question of the chairman of the meeting, John Wilson, of Missouri, and Clark answered that McCrea was not a "Delaware Squatter" and not interested in the matter under discussion. It appears that McCrea had been angered by the address of Wilson upon taking the chair, which is reported to have been a sort of blackguard harangue against Free-State men. McCrea was called on to address the meeting. He started to go to the speakers stand, but hearing threats that he would probably get his friends into trouble, he retired to the back part of the crowd. The question immediately under consideration was an extension of the time for making settlement upon the Delaware lands. Wilson had said that was the only means of embarrassing emigrants from the "d——d abolition North and East." When this question was put to a vote, two-thirds of the meeting voted against the extension, but the Chairman decided that the vote for extension had been carried. On the announcement of this result, McCrea exclaimed to a Mr. Ames who was standing near, "what a contemptible fraud." Clark happened to be standing near and overheard what McCrea said. He turned to McCrea and called him a vile name threatening to kill him, and rushing at him. McCrea retired some thirty feet from the crowd, but Clark did not give up the pursuit. He started upon him at full speed, holding a two by four scantling. He came up with McCrea in the distance of about one hundred feet and struck him with the scantling. McCrea reeled to the right, but did not fall. He drew his revolver, turned about and shot Clark. Green Todd was also chasing McCrea, trying to shoot him, but was prevented by fear of hitting Clark. When Clark fell, Todd shot at McCrea but the shot only cut the sleeve of his coat. At this McCrea turned, raised his revolver to stop the pursuit, but did not attempt to fire. He then lowered his pistol and dodged behind the corner of a building. He was pursued by three other members of the crowd who went around the opposite side of the building, one of whom had a Colt's revolver drawn, the other two armed with stones. McCrea jumped over the bank of the river, into which he waded a short distance. The pursuer with the revolver continuously fired upon him, and those with the stones were attempting to kill him. McCrea was accompanied by his dog which was trying to help him out of the water. John G. Henderson leaped down the bank and assisted McCrea out. He found that McCrea had been wounded in the face as he came to the surface after having fallen into the river. His tongue was shot through and his teeth shattered. His breast was bruised and his collar-bone broken by the stones thrown at him. Clark had died in five minutes after being shot. This increased the excitement. A rope was secured and the crowd became a mob. McCrea was saved from hanging by Samuel D. Pitcher, who suddenly appeared mounted in company with another man. Both were well armed. Pitcher ordered the driver of a government ambulance to go forward and take McCrea on board, which he did. McCrea was then driven rapidly to Fort Leavenworth, while Pitcher and his companion kept the crowd back with drawn

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revolvers. McCrea was imprisoned at Fort Leavenworth several months, when he escaped and left the Territory. He returned after the Civil War. He was never indicted for the killing of Clark, nor in any way prosecuted for it. The body of Clark was taken to his old home at Weston for burial. The matter was given a political turn and the account of the affair appeared in the Leavenworth Herald, May 4, 1855, under the following head.

A Foul and Diabolical Murder

A Useful Man Has Fallen by the Hands of a Villain

In discussing the affair, the Herald said:

We were not present at the meeting, and consequently did not witness this sad and horrible occurrence, but when we heard the report of pistols and saw the rapid flight of the murderer, we hastened to the spot, and never shall we forget the scene there presented. Our very heart sickens, our very blood chills in our veins, when we recall the scene to our memory. We think we see before us the body of the dying man struggling and writhing in the agonies of death. We think we hear his dying cry ringing in our ears. We think we behold the ruthless monster McCrea standing up confronting us with that same hideous and malignant scowl which his countenance bore after the perpetration of this hellish deed. The murderer is now incarcerated at Fort Leavenworth, and God grant that the fiend whose murderous hands committed the foul and atrocious crime—the wretch whose hands are steeped in blood—be made to suffer condign retribution. The vile monster McCrea shall meet the just penalty of the law. He shall be hung by a rope of Hemp. This shall be his reward; but no, we leave his fate unpredicted, for it needs no sibyl's prescience to divine that it must be, and will be, as dark as his foul crime.

Vigilance Committee Formed

The organization of a Vigilance Committee grew out of the killing of Malcolm Clark. The meeting at which Clark was killed had been held at two o'clock on the 30th of April. That night there was a large meeting called in Leavenworth, the account of which is taken from the same number of the *Leavenworth Herald* containing the account of the Clark-McCrea affair, as follows:

At a meeting of the citizens of Leavenworth and vicinity, held on the evening of the 30th of April, for the purpose of taking some action in regard to one William Phillips, who is reported to have been accessory to the murder of Malcolm Clark, D. J. Johnson was called to the chair, and Joseph L. McAleer chosen Secretary.

On motion, the following preamble and resolutions were unanimously adopted:

Whereas, By the facts elicited on the Coroner's inquest, held over the body of Malcolm Clark, as well as from other circumstances that have come to our knowledge, it appears that William Phillips was accessory to the murder of one of our most respected citizens; and, whereas, the conduct of said Phillips heretofore has fully demonstrated his unworthiness, as a citizen or a gentleman; therefore,

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Resolved, That in accordance with the expressed desire of the indignation meeting tonight, William Phillips, of Leavenworth, be ordered to leave this Territory by 2 o'clock Thursday evening next; and that a committee of ten be appointed to notify him instanter of the requisition of this meeting.

Resolved, That the notice be written and signed by the committee, who shall proceed immediately after adjournment to the residence of William Phillips and deliver it to himself in person.

Resolved, That the course to be pursued in regard to *other Abolitionists,* and to the other matters of importance be left to the decision of the meeting of citizens to be held next Thursday.

The committee to notify Mr. Phillips of the action of the meeting was composed of Jarrett Todd, John C. Posey, N. B. Brooks, William C. Berry, Thomas C. Hughes, H. Rives Pollard, Joseph L. McAleer, John H. McBride, James M. Lyle and A. Payne. The meeting then adjourned to meet on Thursday, the 3d of May, and the account of the meeting as published was signed by D. J. Johnson, Chairman, and James M. Lyle, Secretary. The committee appointed to notify Mr. Phillips to leave the Territory acted at once. A notice was written out and signed by each member as follows:

LEAVENWORTH, APRIL 30, 1855.

WILLIAM PHILLIPS:

Sir: At a meeting of the citizens of Leavenworth and vicinity, we, the undersigned, were appointed a committee to inform you that they have unanimously determined that you must leave the Territory by 2 o'clock Thursday next. Take due notice thereof and act accordingly.

(Signed by the Committee.)

Lynch law was inaugurated by the adjourned meeting held on Thursday, as announced, when the following resolutions were adopted:

(1) *Resolved,* That we regret the death of our esteemed fellow-citizen, Malcolm Clark, and most bitterly condemn the cowardly act by which he was murdered; but we would deprecate any violation of the laws of the land by way of revenge, and stand ready to defend the laws from any violation by mob-violence; that we do not deem the time has arrived when it is necessary for men to maintain their inalienable rights, by setting at defiance the constituted authorities of the country.

(2) *Resolved,* That we deeply and sincerely sympathize with the family of Malcolm Clark, deceased, in their sad and irreparable bereavement, which has deprived them of an affectionate and doting father, and the community of one of her most useful, enterprising and esteemed citizens.

(3) *Resolved,* That the interests of our young and lovely Territory have lost in the person of Mr. Clark an energetic and praiseworthy friend; one who was ever ready to put forward his best energies to advance the public weal, and whose sentiments were liberal and at all times expressed with a bold and fearless defiance of the errors of the day.

(4) *Resolved,* That no man has a right to go into any community and disturb its peace and quiet by doing incendiary acts or circulating incendiary sentiments; we, therefore, advise such as are unwilling to submit to the institutions of this country, to leave for some climate more congenial to their feelings, as abolition sentiments cannot, nor will not be tolerated here; and while we do not say what may be the consequences, for the peace and quiet of the community we urge all enter-

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taining and expressing such sentiments, to leave immediately, claiming the right to expel such as persist in such a course.

(5) *Resolved,* That in the present state of public excitement, there is no such thing as controlling the ebullition of feeling while material remains in the country on which to give it vent. To the peculiar friends of Northern fanatics we say: "This is not your country; go home and vent your treason where you may find sympathy."

(6) *Resolved,* That we invite the inhabitants of every State, North, South, East and West, to come among us, and to cultivate the beautiful prairie lands of our Territory, but leave behind you the fanaticisms of higher law and all kindred doctrines; come only to maintain the laws as they exist, and not to preach your higher duties of setting them at naught; for we warn you in advance, that our institutions are sacred to us, and must and shall be respected.

(7) *Resolved,* That the institution of slavery is known and recognized in this Territory, that we repel the doctrine that it is a moral or political evil, and we hurl back with scorn upon its slanderous authors the charge of inhumanity, and we warn all persons not to come to our peaceful firesides to slander us and sow the seeds of discord between master and servant, for, much as we may deprecate the necessity to which we may be driven, we cannot be responsible for the consequences.

(8) *Resolved,* That we recognize the right of every man to entertain his own sentiments on all questions, and to act them out so long as they interfere with neither public nor private rights; but when the acts of men strike at the peace of our social relations, and tend to subvert the known and recognized rights of others, such acts are in violation of morals, of natural law, and systems of jurisprudence, to which we are accustomed to submit.

(9) *Resolved,* That a vigilance committee, consisting of thirty members, shall now be appointed, who shall observe and report all such persons as shall openly act in violation of law and order, and by the expression of abolition sentiments, produce disturbance to the quiet of citizens, or danger to their domestic relations, and all such persons so offending shall be notified and made to leave the Territory.

The vigilance committee appointed was composed of the following named persons:

Hiram Rich, A. Payne, S. D. Pitcher, A. J. Scott, Thomas C. Hughes, William W. Corum, Jarrett Todd, R. E. Stallard, G. D. Todd, M. P. Rively, H. Rives Pollard, James M. Lyle, James Surrett, Joel Hiatt, John C. Posey, G. W. Walker, D. Scott Boyle, E. A. Long, W. G. Mathias, H. D. McMeekin, John Miller, Alexander Russel, Lewis N. Rees, W. L. Blair, D. J. Johnson, L. P. Styles, Nathanael Henderson, Samuel Burgess, H. Long, C. C. Harrison.

In the published account of the meeting, it is said that Samuel D. Lecompte, Chief Justice of the Territory, Colonel James N. Burns of Weston, and D. J. Johnson eloquently addressed the meeting. Many years later Judge Lecompte wrote the following letter to H. Miles Moore explaining the part taken by him in this affair:

The facts are simply these. I was residing at the time with my family at the Shawnee Mission, with Gov. Reeder and other officials of the Territory. A short time before the coming along of the stage to Fort Leavenworth, on the 2d, I was informed of the intended indigna-

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tion meeting, to be held at Leavenworth the next day, the leading object of which was to inflame the popular mind to taking into its own control the vindication of the law, and then to promptly vindicate it by the summary execution of the alleged culprit.

Short as was the notice, I determined to come up to Leavenworth, and resist, to the utmost, and stop, at all risks, any such movement.

Accordingly, I came up to the Fort, remained there over night, and was at Leavenworth, at an early hour next morning, and saw and conversed with, as far as practicable, every man supposed to be influential in fomenting or suppressing a spirit of misrule, and, by the time the meeting was called, had succeeded, as I believed, in thwarting the purpose of those inclined to a course of violence.

When the meeting was assembled, I mounted, I think an old wagon, and made the most earnest speech within my capacity, in favor of the resolution deprecating "any violation of the laws of the land," defending "the laws from any violation from mob violence." A most violent effort was made, in opposition, to defeat the resolution, but, as I then believed, and now think, it was mainly through my exertion triumphantly carried. I spoke to no other point, and do not recollect that I heard of any other subject of discussion, and most assuredly had no more to do with any other part of the proceedings at the meeting than yourself or any other absent person.

This explanation I had occasion to make, and did make through the St. Louis *Republican*, when my name was afterward published by the Congressional Committee sent out to inquire into the disturbances in Kansas.

That committee, seeing the same report (Leavenworth *Herald*), very naturally presumed from it that I had advocated the rancorous resolutions of the second meeting, and denounced such conduct as utterly unworthy of one in my then position.

Such denunciations I most heartily indorse, upon the *note* of facts as they regarded it. I should have felt myself unfit to exercise the slightest functions of a judicial position, had I participated in any such proceedings.

(Signed) Yours truly,
SAMUEL D. LECOMPTE.

William Phillips seemed to be making no effort to close his business preparatory to leaving Leavenworth. His whole offence was that he was a Free-State man and had protested against the conduct of the Missourians in the Territorial election. On the morning of the 17th of May, a portion of the vigilance committee armed themselves, sought Phillips and arrested him. He was hurried to the river, put into a flat boat and immediately taken to Missouri. At noon the mob appeared with him at Weston. Just below Weston they took him into a warehouse where they stripped him to the waist, tarred and feathered him, mounted him on a rail and marched into the town followed by a rabble ringing bells and beating on old pans. In this way he was carried through the streets. The party came to a halt opposite the St. George Hotel, where Dr. Parsons' old slave, Joe, was forced to auction Phillips off to the highest bidder. There were no bidders, and Joe bid in the lawyer for one cent. He was again placed on the rail and carried about the streets.

The people of Weston soon began to object to this proceeding, saying

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that if Leavenworth desired to mob their citizens they should do it at home. None of the citizens of Weston took any part in the affair. The action of the mob was denounced by the people of Weston on the following Monday night. Phillips did not leave Leavenworth. He was murdered in his own house, in September, 1856, by some of the persons who had mobbed him.

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CHAPTER XXV

THE BIG SPRINGS CONVENTION

The Big Springs Convention is one of the epochs in the progress of the movement for a free State. The arrival in ever increasing ratio of settlers opposing slavery gave hope to those who had borne the burden when few in numbers, when unorganized, and when threatened with destruction by a foreign mob. It was hoped and believed that there was sufficient population in the Territory favoring the erection of a free State to organize and sustain an outspoken aggressive Free-State party. If this hope could be realized, the real pioneers could be formed into a body and wield their political power with a definite purpose always in view. Their leaders would have behind them a united sentiment,—always the sustaining power and inspiration of a righteous cause. This sentiment would increase in volume as the Anti-Slavery emigration continued to come in. And this tide was certain to flow higher and higher, as it did, until it swept the Pro-Slavery party out of existence at the polls.

The time was opportune. The black cloud of extinction was rising above the Legislative halls at Shawnee Mission. The spirit of free men descended from those who had crossed the Alleghanies and subdued the wilderness of the Ohio would not submit to any subversion of their rights. They had fought too long for them and valued them too highly to lay them down at the bidding of any body of men, even the most high and mighty. Their fathers had told Jefferson they would set up for themselves if the Mississippi was not opened to their free use. These men had come to Kansas for the same reason their fathers had been migrating westward for a century—to better their condition. They desired homes for their families, and their experience taught them that it was to their advantage to have these homes in a State free from the blighting touch of slavery. On this subject their convictions were far deeper than even they themselves had thought of. They might become engrossed with their own affairs and be a little slow to leave them and respond to the call of public duty, but once afield, their determination grew grim as death. Nothing could thwart their will.

The Big Springs Convention formed the Free-State party and arrayed the Anti-Slavery people of Kansas as one united body against the further aggressions in Kansas of the slave propaganda, whether from Missouri or any other State.

The people began to hold meetings to consider the political situation

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in June. A call signed "Sundry Citizens" had been issued for a meeting at Lawrence on the 8th of that month. This meeting did little beyond calling another for the 25th of June, which assembled as directed at Lawrence on that day, to take into consideration, "the relation the people of this country bear to the Legislature about to convene at Pawnee." John A. Wakefield was President of the meeting and William Partridge was the Secretary. The committee on resolutions was composed of S. N. Wood, John Brown Jr., James P. Fox, Augustus Wattles, and A. F. Powell. They brought in the following preamble and resolutions, which were adopted:

WHEREAS, Certain persons from the neighboring State of Missouri have, from time to time, made irruptions into this Territory, and have by fraud and force driven from and overpowered our people at the ballot-box, and have forced upon us a Legislature which does not represent the opinions of the legal voters of this Territory, many of its members not being even residents of this Territory, but having their homes in the State of Missouri; and

WHEREAS, Said persons have used violence toward the persons and property of the inhabitants of the Territory; therefore,

Resolved, That we are in favor of making Kansas a *free* Territory, and as a consequence a *free* State.

Resolved, That we urge upon the people of Kansas to throw away all minor differences and issues, and make the freedom of Kansas the only issue.

Resolved, That we claim no right to meddle with the affairs of the people of Missouri or any other State, but that we claim the right to regulate our own domestic affairs, and, with the help of God, we will do it.

Resolved, That we look upon the conduct of a portion of the people of Missouri in the late Kansas election as a gross outrage on the elective franchise and our rights as freemen, and a violation of the principles of popular sovereignty; and, inasmuch as many of the members of the present Legislature are men who owe their election to a combined system of *force* and *fraud,* we do not feel bound to obey any law of their enacting.

Resolved, That the legally elected members of the present Legislature be requested, as good and patriotic citizens of Kansas, to resign and repudiate the fraud.

Resolved, That in reply to the threats of war so frequently made in our neighboring State, our answer is, WE ARE READY.

Resolved, That the people of Kansas are opposed to the establishment of slavery here, and if established it will be contrary to the wishes of three-fourths of our people.

Resolved, That Kansas has a right to, and does hereby, invoke the aid of the General Government against the lawless course of the slavery propaganda with reference to this Territory.

Resolved, That a FREE STATE CENTRAL COMMITTEE be appointed, and that each election district shall be entitled to one member, and each district having two Councilmen shall be entitled to two members.

The Free-State members did not resign as requested by this meeting, but forced the Legislature to expel them, thereby giving them and the Free-State men in the Territory, a stronger position before the people of the country. There was, at this meeting, some idea of general organi-

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zation in the Territory of the Anti-Slavery forces, and it was directed that a Free State Central Committee should be appointed, which was later done, with Dr. Robinson as Chairman.

The preliminary meeting which called the Big Springs Convention was held at Lawrence on the 17th of July, 1855, and was the result of a conclusion reached by Josiah Miller and R. G. Elliott, editors and proprietors of the *Kansas Free State*. It was designed to have a meeting or convention of all the Free-State elements in the Territory for the purpose of forming a platform for a Free-State party. There was at that time factions among the Anti-Slavery residents of Kansas, one of which, had taken up the plan of forming a state government upon which to apply for admission into the Union. It was composed of the most radical element. Those desiring to pursue a more conservative course wished to frame a platform of principles broad enough to embrace all Anti-Slavery people, and trust time and circumstances to harmonize differences and eventually defeat the Missourians at the polls as the population increased.

This preliminary meeting was held on the bank of the Kansas River, at the head of New Hampshire Street, under a large cottonwood-tree, where lumber for a warehouse had been deposited. It was known as the Sand Bank Convention and was well attended. John A. Wakefield was the Chairman and R. G. Elliott, the Secretary. A review of the early proceedings of the Free-State people in Kansas would indicate that no other man was ever Chairman of so many meetings, as Judge Wakefield. The Sand Bank meeting made the call for the convention at Big Springs to be held on the 5th of September. The delegates to the Big Springs convention were to be elected on the 25th of August. The election district in which Lawrence was situated, extended South to the Santa Fe Trail, and the voting place was fixed at Blanton's Bridge. At 2 o'clock the meeting was called to order by James H. Lane, and G. W. Smith was elected Chairman. J. S. Emery was chosen Secretary. The voting was delayed about an hour to give time for the arrival of all who wished to participate in the election of delegates. The delegates elected were G. W. Smith, R. F. Miller, Turner Sampson, H. Barricklow, Dr. A. Still, J. H. Lane, M. Hunt, W. Duncan, J. S. Emory, J. Hutchinson, J. D. Barnes, William Yates, R. G. Elliott, John Curtiss, and James McGee. The whole number of votes cast was one hundred and thirty-one. The delegates, by resolution of the voters, were given power to fill vacancies which might occur in the delegation. John Speer moved the following resolution, which was adopted:

Resolved, That discarding all other issues, this convention desires perfect amity and harmony amongst all Free-State men and that for the purpose of securing this end, our delegates are hereby instructed to use their influence in the Big Springs convention to reject all issues other than that of the prohibition of slavery in Kansas.

On motion of Dr. Robinson, the voters adjourned to meet the following Friday at 2 o'clock, P. M., in Lawrence, to organize the Free-State

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party for that election district. Elections for delegates were held in the other districts of the Territory on the same day.

Another meeting had been called for the 14th of August by the expelled members of the Legislature, who had assembled in Lawrence on the 11th of July. The meeting was one of the largest which had ever assembled in the Territory. There had been no agreement between the parties calling this meeting and those calling the Big Springs Convention, and while the 14th of August meeting had not been so designed, it, in fact, proved a sort of preliminary meeting for the convention held at Big Springs, and which had been called by the Sand Bank meeting, as we have seen. There was great interest in the meeting and delegates were present from all parts of the Territory. The meeting was called to order at 10 o'clock, A. M. Phillip C. Schuyler, of Council City, was elected president. The vice presidents were G. W. Smith, M. F. Conway, J. A. Wakefield, R. Mendenhall, A. F. Powell, and others whose names were not recorded in the proceedings. The secretaries were G. W. Brown and John Speer. The Committee on Resolutions were C. Robinson, G. W. Dietzler, John Hutchinson, G. W. Smith, of the first district; William Jessee and Samuel Walker of the second district; F. W. Giles and C. K. Holliday of the third district; S. F. Shore of the fourth district; C. A. Foster, W. K. Vail, W. A. Ely, and W. Partridge of the fifth district; I. T. Goodenough of the sixth district; M. F. Conway and ——— Jones of the ninth district; George F. Warren of the fourteenth district; R. Mendenhall of the seventeenth district. At the afternoon meeting, James H. Lane made his first appearance in a Free-State convention as has been already noted. The preamble and resolutions were reported by Dr. Robinson at the afternoon meeting as follows:

WHEREAS, By act of Congress, approved May 30, 1854, organizing a government for the Territory of Kansas, a grant of legislative power was made to the lawful inhabitants of said Territory to enable them to make such laws and establish such institutions as would be most suitable to themselves; and, in order to accomplish this the said inhabitants were by said act empowered and directed to elect, according to a prescribed mode, a Territorial Legislature, with competent jurisdiction and capacity to act, under certain specific restrictions, over all rightful subjects of legislation; and, whereas, while exercising the authority thus conferred to elect members of a Territorial Legislature, the Territory was invaded and the inhabitants overwhelmed by large and numerous bands of armed men from a foreign State, who violently took possession of nearly all places through the Territory, at which said election was being held; who ruthlessly abolished the legally established mode of conducting the same, and who, according to their own mode, and by virtue of their own rights, in utter disregard of the act of Congress, organizing a government for the Territory, held an election for members of the Kansas Legislature, and elected certain persons as members of said Legislature, thus, to all intents and purposes, divesting the lawful inhabitants of the entire grant of legislative power which had been made to them by the Congressional charter; and, whereas, the Legislature thus elected is now in session on the borders of the State of Missouri, making laws for the government of the inhabitants and citizens of Kansas; having re-composed its two bodies after its assemblage

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and organization, the majority expelling the minority, and authorizing and admitting other persons to fill the places of those expelled; having filled a vacancy, arising in consequence of a resignation (S. D. Houston) by their own self act, without regard to the rights of the people to elect; having fixed a temporary seat of government at the Shawnee Mission; and in pursuance of this, abandoned the place of meeting to which they had been convened by executive authority; having now before them a bill which they will probably enact into a law, making the right of suffrage in the Territory dependent upon the payment of the sum of $1, without reference to the matter of inhabitancy, thus attempting to give up the ballot-box by law for all future time to persons from foreign States; having now before them a bill which they will probably enact into a law for the election of themselves of a board of permanent overseers, to be sent out in all the districts of the Territory with power to levy taxes to any amount, and otherwise exact from, drive and oppress the people; all, over and above, and in direct and meditated violation and open defiance of the act of Congress organizing a government for the Territory of Kansas, and an act supplementary thereto; therefore,

Resolved, by those of the people of the Kansas Territory now here in mass meeting assembled:

(1) That we regard the invasion of our Territory on the 30th of March last, as one of the greatest outrages upon the laws of the land and the rights of free citizens, ever attempted in this country, and the Legislature now in session on the borders of Missouri, the offspring of that invasion, and the inheritor of all its qualities of insolence, violence and tyranny—as a living insult to the judgment and feelings of the American people, and derogatory to the integrity and respectability of the Federal authority.

(2) That we indignantly repel the pretensions of that Legislature to make laws for the people of Kansas, that we regard it as acting entirely without the authority of law, not only in consideration of its having been elected against law, and in violation of the rights and will of the people, by armed men from a foreign State, but because its course, since its meeting and organization, has been utterly regardless of those conditions and requirements of the organic act, essential to a valid discharge of legislative functions, and such as has effected a complete forfeiture of any technicality of law by which, at first, it may have been supported.

(3) That, as men, born in a land of liberty, trained to precepts of freedom, and alive to those inspiring sentiments which have prompted in all ages heroic resistance to tyrants; as descendants of those, who, in 1776 braved the power of the mightiest monarchy on earth, rather than submit to foreign thraldom, we repudiate this insolent attempt to impose upon us a government by foreign arms, and pledge to each other, as our fathers did of old, "our lives, our fortunes, and our sacred honors," to a resistance of its authority.

(4) That we regard it, in this crisis, as incumbent upon the people of Kansas to set aside all differences of political opinion, to cultivate a comprehensive and intimate intercourse with each other, effect a thorough union, and otherwise prepare for the common defense.

(5) That we consider the attempts to establish a Territorial form of government in this Territory, as, thus far, an utter failure; and that the people of the Territory should, at some convenient period, assemble at the several places of holding elections in the various districts in the Territory, and elect delegates to a convention to form a State constitution for the State of Kansas, with the view of an immediate State

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organization and application, at the next session of Congress, for admission into the American Union, as one of the States of the American Confederacy.

(6) That the people of Kansas can never be unmindful of the deep debt of gratitude they owe to Andrew H. Reeder for the firmness, ability and integrity shown in the discharge of his duty as Executive officer of this Territory.

As set out above the resolutions are in the form as modified later by the convention. As first brought in they caused much dissatisfaction and created some feeling. The sixth resolution was not in the first draft. A minority report was presented by Mr. J. Hutchinson, which endorsed the first four resolutions, but opposed a resolution calling a Free-State convention to form a constitution. The debate continued all the afternoon and was not concluded when the meeting adjourned. After the adjournment the delegates, as individuals, entered into an earnest discussion of the affairs of the Territory in an informal and friendly manner. The principal men sought to harmonize the divergent views and elements, and with good results. On the morning of the 15th of August, upon the reassembling of the meeting, the preamble and resolutions as reported by Dr. Robinson, and modified as above mentioned, were adopted amid great enthusiasm. The following resolution offered by John Speer committed the meeting to the Big Springs Convention.

And historians have failed to look back of this resolution to find the first inception of the Big Springs movement.

Resolved, That in conformity to past recommendations, the Territorial Free State Executive Committee be requested to call a convention of five delegates to each representative to be appointed in the several districts of Kansas on the 25th day of August, to meet at Big Springs on the 5th day of September next, for the purposes recommended in a call previously issued, and to take such other action as the exigencies of the time may demand.

Big Springs Convention

Big Springs was a celebrated camping-ground on the California Road. It is in Douglas County, eleven miles east of Topeka. But two persons with their families lived there in September, 1855. They were W. Y. Roberts and W. R. Frost. Unfinished cabins were in view, however, in every direction. Many of the delegates supposing the accommodations would be inadequate for so large an assembly, came prepared to camp out. Their place of meeting was on the open plain, and no more appropriate place to formulate a plan to battle for liberty than the broad prairies on which the convention met could have been found. Here were men from the refinements of the New England homes and with college diplomas in their pockets. New York, Ohio, Indiana, Illinois,—almost all the states north of Mason and Dixon's line were represented. Men from Missouri and from the foot hills of the Alleghany Mountains in Kentucky, Tennessee, and North Carolina, were there.

The convention was called to order at eleven o'clock, A. M. W. Y. Roberts was temporary Chairman and D. Dodge, Secretary. A commit-

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tee on credentials was appointed, with instructions to report immediately. It was composed of John Hutchinson, R. Riddle, A. Hunting, P. C. Schuyler, P. Laughlin, W. Pennock, John Fee, A. G. Adams, J. Hamilton, J. M. Tuton, R. Gilpatrick, J. M. Arthur, and Isaac Wollard. A committee on permanent organization was appointed, consisting of S. D. Houston, G. F. Warren, J. D. Barnes, William Jessee, A. G. Adams, E. Fish, John Hamilton, William Jordan, B. Harding, Isaac Wollard and S. Mewhinney. The convention then adjourned until 2:30 o'clock P. M.

The afternoon session met pursuant to adjournment. The committee on credentials reported the following persons as duly elected delegates to the convention:

First District.—G. W. Smith, J. H. Lane, John Curtiss, J. Emery, John Hutchinson, Turner Sampson, M. Hunt, R. G. Elliott, J. D. Barnes, William Yates, A. Still, H. Barricklow, B. W. Miller, W. Duncan, James McGee.

Second District.—J. M. Tuton, J. A. Wakefield, A. Curtiss, H. Y. Baldwin, H. Burson, William Jessee, Samuel Walker, T. Wolverston, J. C. Archibald, Charles Wright.

Third District.—William Y. Roberts, William Jordan, A. G. Adams, James Cowles.

Fourth District.—S. Mewhinney, J. T. Javins, E. G. Scott, A. J. Miller, W. Moore.

Fifth District.—A. P. Wyckoff, James Osborne, James M. Arthur, D. F. Park, William G. Nichols, Dr. R. Gillpatrick, G. W. Partridge, Isaac Wollard, Charles A. Foster, James Todd, Robert H. Brown, Enos Show, William K. Vail, Enos Strawn, Hamilton Smith.

Sixth District.—John Hamilton, James Johnson, F. M. Morris.

Seventh District.—P. C. Schuyler, George Bratton, Dr. J. D. Wood, Dr. A. Bowen, E. Fisk.

Eighth District.—J. E. Hohenick, Daniel B. Hiatt.

Ninth District.—S. D. Houston, William S. Arnold, James P. Wilson, Luke P. Lincoln, Dr. A. Hunting.

Tenth District.—William Pennock, J. B. Pennock, J. H. Boyd, George F. Warren, P. Dowlin, R. H. Phelan, D. Dodge, H. M. Hook, James Salisbury, E. Castle, J. Parrott, John Wright, A. Guthrie, R. Riddle.

Eleventh District.—M. F. Conway, C. Junkens.

Twelfth District.—James Wilson, John Anesworth, Nathan Adams.

Fourteenth District.—S. Collins, John Fee, P. Laughlin, N. Carter, George W. Bryan, Benjamin H. Brock, William Poepges, B. Harding, A. Grooms, C. W. Stewart.

Fifteenth District.—William Crosby, H. J. Stout, J. C. Ridgeway, Elijah Pierce.

Seventeenth District.—R. Mendenhall, D. W. Mendenhall, G. P. Lowry.

The following letter was read to the convention.

WAKARUSA, SEPT. 5, 1855.

To the Free State Convention at Big Spring.

Gents:—I regret very much that private engagements have placed it out of my power to be with you today. It is only left me to hope and pray that you may be all of one mind, for the good of Kansas. Let our platform be broad and liberal, well defined, and beyond the reach of misrepresentation.

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In this immediate vicinity there are forty Free State voters, only five of that number will vote for a Free State with negroes admitted, and more than half will vote for a Slave State, if they are not excluded. In the Northern part of the Territory, the same sentiment prevails, in about the same proportion. However anti-Democratic such sentiments at first glance may seem to be, they can be sustained by the best of anti-slavery arguments. And next to being cut off from a Slave market, they are most feared by the pro-slavery party.

But I have not time for the argument here. I ask for myself, and in behalf of Western and Southern Free Soilers, that our platform be such that all who would confine slavery to its present limits may act in harmony, until interest compels the Slaveholder to think right thoughts. Let Kansas be free, and her children white.

Respectfully,

J. D. Wood.

The committee on permanent organization reported for Chairman, G. W. Smith; for Vice-presidents, John A. Wakefield, John Fee, Dr. A. Hunting, and James Salisbury; for Secretaries, R. G. Elliott, D. Dodge and A. G. Adams. On motion of Mr. Roberts committees to consist of thirteen members each, apportioned to the council districts were appointed on the following subjects:

First.—A Committee to report a Platform.
Second.—A Committee on Congressional Election.
Third.—A Committee on State Organization.
Fourth.—A Committee on the Acts of the Legislature.
Fifth.—A Committee on Miscellaneous Resolutions.

After a recess of thirty minutes the Chairman named the committees as follows:

Committee on Platform.—P. Laughlin, S. Collins, J. A. Wakefield, J. H. Lane, A. Still, D. Dodge, J. H. Byrd, J. Hamilton, W. Crosby, W. Y. Roberts, M. F. Conway, C. A. Foster, R. Gilpatrick.

Committee on State Organization.—B. H. Brock, A. Grooms, J. M. Tuton, R. G. Elliott, R. Mendenhall, H. M. Hook, E. Castle, J. Hamilton, H. J. Stout, A. Bowen, S. D. Houston, J. M. Arthur, Isaac Wollard.

Committee on Late Legislature.—John Fee, N. Carter, W. Jesse, J. S. Emery, H. Barricklow, W. Pennock, J. Wright, M. Duncan, P. C. Schuyler, E. Pierce, Dr. Hunting, W. G. Nichols, G. W. Partridge.

Committee on Congressional Election.—G. W. Bryan, B. Harding, H. Burson, W. Yates, G. P. Lowry, G. F. Warren, R. H. Phelan, J. Johnson, J. C. Ridgeway, J. Cowles, W. S. Arnold, A. P. Wyckoff, J. Osborn.

Committee on Miscellaneous Duties.—C. W. Stewart, W. Poepges, C. Curtiss, S. Mewhinney, J. Curtiss, J. Parrott, R. Riddle, W. Jordan, J. P. Wilson, J. Todd, D. F. Park, F. M. Morris.

A Committee on Order of Business and Rules made the following report.

1st. In nominating a candidate for Delegate to Congress, the vote shall be cast by Representative Districts, and each District shall be entitled to as many votes as it is to Delegates in the Convention.

2d. A majority of all the votes shall be necessary to elect a Candidate.

3d. Parliamentary rules shall govern this Convention, and speeches

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shall be limited to fifteen minutes, and speakers shall speak but once on the same question.

On motion of Mr. Conway the first order was amended by substituting the words "upon all questions which may come before the convention" in the place of "in nominating a candidate for Delegate to Congress." Upon motion of J. H. Lane the convention adjourned to meet at nine o'clock A. M., September 6th.

Second Day.

The first business taken up was the report of the Committee on Platform, and Colonel Lane made the report. In some accounts of the convention it is said that the resolutions were bitterly attacked and warmly discussed. Failure of the whole plan seemed imminent. One of the delegates has left this record.

At this critical crisis Judge Smith arose and began a speech of great earnestness and feeling. With his white locks trembling in the wind, and tears streaming down his furrowed cheeks, he besought them in a spirit of a patriarch and a patriot, to cast aside all minor differences, and to unite in one common struggle toward rescuing Kansas from the vile dominion of slavery.

Colonel Lane was the last man to speak. He delivered a thrilling speech which swayed the men of the convention as the wind sways the grass of the prairies. At the conclusion of his address the platform was adopted unanimously with great enthusiasm. In the account of the convention in the *Kansas Free State* there is no mention of dissension concerning the platform. It says, "the report was adopted by three prolonged hearty cheers and adopted with but two dissenting votes." The platform is here given in full:

The First Free-State Platform

Whereas, The Free-state party of the Territory of Kansas are about to originate an organization for concert of political action in electing our officers and molding our institutions; and whereas, it is expedient and necessary that a platform of principles be adopted and proclaimed to make known the character of our organization and to test the qualifications of candidates and the fidelity of our members; and whereas, we find ourselves in an unparalleled and critical condition, deprived by superior force of the rights guaranteed by the Declaration of Independence, the Constitution of the United States and the Kansas Bill; and whereas, the great and overshadowing question whether Kansas shall become a free or a slave State must inevitably absorb all other issues except those inseparably connected with it; and whereas, the crisis demands the concerted and harmonious action of all those who from principle or interest prefer free labor to slave labor, as well as of those who value the preservation of the Union and the guarantee of republican institutions by the Constitution; therefore,

(1) *Resolved,* That, setting aside all minor issues of partisan politics, it is incumbent upon us to proffer an organization calculated to recover

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our dearest rights, and into which Democrats and Whigs, native and naturalized citizens, may freely come without any sacrifice of their respective political creeds, but without forcing them as a test upon others. And that when we shall have achieved our political freedom, vindicated our rights of self-government, and come as an independent State upon the arena of the Union, where those issues may become vital where they are now dormant, it will be time enough to divide our organization by those tests, the importance of which we fully recognize in their appropriate sphere.

(2) *Resolved,* That we will oppose and resist all non-resident voters at our polls, whether from Missouri or elsewhere, as a gross violation of our rights and a virtual disfranchisement of our citizens.

(3) *Resolved,* That our true interests, socially, morally and pecuniarily, require that Kansas should be a free State; that free labor will best promote the happiness, the rapid population, the prosperity and the wealth of our people; that slave labor is a curse to the master and the community, if not the slave; that our country is unsuited to it, and that we will devote our energies as a party to exclude the institution and to secure for Kansas the constitution of a Free State.

(4) *Resolved,* That in so doing, we will consent to any fair and reasonable provision in regard to the slaves already in the Territory, which shall protect the masters against total loss.

(5) *Resolved,* That the best interests of Kansas require a population of free white men, and that in our State organization we are in favor of stringent laws excluding all negroes, bond and free, from the Territory, but that, nevertheless, such measure shall not be regarded as a test of party orthodoxy.

(6) *Resolved,* That we will discountenance and denounce any attempt to encroach upon the constitutional rights of the people of any State, or to interfere with their slaves, conceding to their citizens the right to regulate their own institutions, and to hold and recover their slaves without any molestation or obstruction from the people of Kansas.

(7) *Resolved,* That the stale and ridiculous charge of abolitionism, so industriously imputed to the Free-state party, and so pertinaciously adhered to in spite of all the evidence to the contrary, is without a shadow of truth to support it; and that it is not more apparent to ourselves than it is to our opponents, who use it as a term of reproach to bring odium upon us, pretending to believe in its truth, and hoping to frighten from our ranks the weak and timid who are more willing to desert their principles than they are to stand up under persecution and abuse with a consciousness of right.

Judge James S. Emery of Lawrence submitted the report of the Committee on Late Legislation. The report consisted of a series of resolutions stating the Free-State position and attitude, as follows:

Resolved, That the body of men who, for the last two months have been passing laws for the people of our Territory, moved, counseled and dictated to by the demagogues of Missouri, are to us a foreign body, representing only the lawless invaders who elected them, and not the people of the Territory—that we repudiate their actions as the monstrous consummation of an act of violence, usurpation and fraud, unparalleled in the history of the Union, and worthy only of men unfitted for the duties and regardless of the responsibilities of Republicans.

Resolved, That having, by numerical inferiority and want of preparation, been compelled to succumb to the outrage and oppression of armed and organized bands of the citizens of a powerful State of the Union—

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having been robbed by force of the right of suffrage and self-government, and subjected to a foreign despotism, the more odious and infamous because it involves a violation of compacts with sister States more sacred than solemn treaties, we disown and disavow with scorn and indignation the contemptible and hypocritical mockery of a representative government into which this infamous despotism has been converted.

Resolved, That this miscalled Legislature, by their reckless disregard of the Organic Territorial Act, and other Territorial Legislation, in expelling members whose title to seats was beyond their power to annul, in admitting members who were not elected, in altering the pre-emption laws and the naturalization laws, and in legislating at an unauthorized place—by their refusal to allow the people to elect any of their officers—by imposing upon us their own appointees, down to the most insignificant officers, many of whom were unquestionably residents of Missouri at the time—by leaving us no elections save those prescribed by Congress, and therefore beyond their power to abrogate, and even at these, selling the right of suffrage at our ballot-boxes to any non-resident who chooses to buy and pay for it, and compelling us to take an oath to support a United States law, invidiously pointed out, by stifling the freedom of speech and of the press, thus usurping a power forbidden to Congress, have trampled under foot the Kansas Bill, have defied the power of Congress, libeled the Declaration of Independence, violated the Constitutional Bill of Rights, and brought contempt and disgrace upon our republican institutions at home and abroad.

Resolved, That we owe no allegiance or obedience to the tyrannical enactments of this spurious Legislature—that their laws have no validity or binding force upon the people of Kansas, and that every freeman amongst us is at full liberty consistently with all his obligations as a citizen and a man, to defy and resist them if he chooses so to do.

Resolved, That we will resist them primarily by every peaceable and legal means within our power, until we can elect our own Representatives, and sweep them from the Statute-book, and, as the majority of the Supreme Court have so far forgotten their official duty—have so far cast off the honor of the lawyer and the dignity of the judge as to enter, clothed with the judicial ermine, into a partisan contest, and by by an extra-judicial decision giving opinions in violation of all propriety, have pre-judged our case before we could be heard, and have pledged themselves to these outlaws in advance, to decide in their favor, we will therefore take measures to carry the question of the validity of these laws to a higher tribunal where judges are unpledged and dispassionate—where the law will be administered in its purity, and where we can at least have the hearing before the decision.

Resolved, That we will endure and submit to these laws no longer than the best interests of the Territory require, as the least of two evils, and will resist them to a bloody issue as soon as we ascertain that peaceable remedies shall fail, and forcible resistance shall furnish any reasonable prospect of success; and that, in the meantime, we recommend to our friends throughout the Territory, the organization and discipline of volunteer companies and the procurement and preparation of arms.

Resolved, That we cannot and will not quietly submit to surrender our "Great American Birthright"—the elective franchise; which, first by violence, and then by chicanery, artifice and weak and wicked legislation, they have so effectually accomplished to deprive us of, and that with scorn we repudiate the "Election Law"—so-called—and will not meet with them on the day they have appointed for the election, but will ourselves fix upon a day for the purpose of electing a Delegate to Congress.

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Colonel Lane moved to amend the resolutions by striking out that part impeaching the actions of the Supreme Court, but his motion was lost. Mr. Guthrie offered a substitute for one of the resolutions, but his motion was laid on the table. The question was then put on the adoption of the report, and carried with but one dissenting voice.

The Committee on State Organization made the following report:

The Committee, after considering the propriety of taking preliminary steps to framing a Constitution and applying for admission as a State into the Union, beg leave to report that, under the present circumstances, they deem the movement untimely and inexpedient.

The people of the Territory had not yet accepted the idea of forming a State constitution and this resolution expressed the sentiment of a great majority of the Free-State people in the Territory. The discussion of this report developed serious difference of opinions. It was participated in by Colonel Lane, Mr. Houston, Judge Wakefield, Mr. Vail, Mr. Curtiss and P. C. Schuyler. It seemed that there was no hope of harmonious action, and the convention took a recess for one hour. When it reassembled the discussion was continued, those speaking being Mr. Tuton, Mr. Hutchinson, Mr. Guthrie and Mr. Smith. It being impossible to come to an agreement, Mr. Hutchinson offered the following as a substitute for the report, which was agreed to:

Resolved, That this Convention, in view of its recent repudiation of the acts of the so-called Kansas Legislative Assembly, respond most heartily to the call made by the People's Convention of the 15th ult., for a Delegate Convention of the people of Kansas Territory, to be held at Topeka on the 19th inst., to consider the propriety of the formation of a State Constitution, and such other matters as may legitimately come before it.

The Committee on Congressional Election submitted the following report, which was adopted:

WHEREAS, The citizens of Kansas Territory were prevented from electing members to a Territorial Legislature, in pursuance of the Proclamation of the Executive on the 30th of March last by armed mobs who came into the Territory and forced upon the people the votes of non-residents and others inimical to the interests of the resident voters of Kansas Territory, thereby defeating the objects of the Organic Act, which, among other things, provided that after the first election the Legislature shall provide for the Election of a Delegate to Congress. And whereas, the Legislative body lately sitting at Shawnee Mission were not at a place where valid laws could be made, and where consequently no valid provision for the coming election could be made; the people are driven to the necessity of meeting in their sovereign capacity to provide for said election. Therefore,

Resolved, By the citizens of Kansas in Convention assembled, that an election shall be held in the several election Districts in this Territory, on the 2nd Tuesday of October next, under the regulations prescribed for the election of the 30th March last, in reference to the places and manner of holding the same and the manner of making the returns as well as all matters relating to the formula of the election,

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excepting the appointment of officers and the persons to whom returns shall be made which shall be determined by this Convention; for the purpose of electing a Delegate to represent this Territory in the 34th Congress of the United States.

The reasons which have induced your Committee to recommend the separate Election, are several: First, to vote upon the same day at the same polls would be an acknowledgment of the right of the late Legislature to call an election. This objection might be obviated, should we go to the polls in obedience to the decision of this Convention only, but then another difficulty arises.—From evidence going before us, we are convinced that a large portion of the Free-State Party will decline to vote at the expense of an oath to support special named laws,—nor is this sentiment confined to the opposers of the Fugitive Slave Law and others mentioned, but extends to the believers in the Justice and propriety of that enactment, among whom are some members of your Committee.

Second, should we be disposed to vote on the day appointed by the Legislature, past experience tells us that we shall by force be prevented from exercising that right of freemen, while by the adoption of a second day, we avoid unnecessary disturbance, and may send our Delegate to claim his seat, confident that the last fact taken with the various legal grounds why the Legislature were incapacitated from making binding laws will claim the favorable attention of Congress. We would also recommend the appointment of a Committee to draft a memorial to Congress setting forth more elaborately the reasons which have induced this course, and which may be placed at each poll on the day of election finally appointed by the Convention so it may be signed by every voter. We also recommend that duplicate copies of the returns be made and one copy be presented to the Governor of the Territory for his signature and the seal of the Territory, and if he refuses the other duplicate copy may be sent to the Speaker of the House of Representatives.

Upon the other subject referred to the Committee, they recommend the following:

Resolved, That this Convention vote for Delegate, viva voce.

G. P. Lowry, Chair'n.
Wm. S. Arnold, Sec'y.

The Committee on Miscellaneous Business brought in the following report:

Miscellaneous Business

Resolved, That the alleged cause for the removal of Gov. Reeder and other Territorial officers, has no sufficient foundation in truth or plausibility; that the purchase of the half breed lands was a fair and honorable transaction which can tarnish the reputation of no man; that it was for a fair and full consideration, and characterized by no concealment or impropriety; that the vendors were fully competent to make their own bargains and protect their own interests, and were allowed abundant time to consult their friends and neighbors; that the contract was made with the full knowledge of the Agent and Interpreter, and was subjected to the supervision of the President, and as the President has refused to respond to the earnest and pointed request to say what law or rule has been transgressed, we are compelled to believe that it was in violation of no law or artificial regulation.

Resolved, That the specification of an interest in Pawnee City, which was only furnished after the removal had taken place, and, therefore, had precluded any opportunity for explanation or reply, is as unfor-

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tunate and unfounded as the other; as it is a well-known fact that Governor Reeder had no participation in the laying out of the town; that it was laid out and located before his arrival in the Territory, and that his first connection with it was the voluntary and unsolicited transfer by the original stockholders of an interest therein to the five Territorial officers who had then arrived, among whom, of course was the Governor; that the town was then, and for some time before and after, outside of the Military Reserve, having been excluded by the experienced and intelligent officer in command at the post, although since included by the Secretary of War.

Resolved, That the demand to answer to the vague charge of "other speculations in the lands of the Territory," without further explanations or specifications, and the refusal of the President to state what was alluded to by him, or to give the name of the accuser, and his giving the specification only after the removal was made, are strong and unmistakable indications that the removal was a foregone conclusion, and the demand of explanation merely an empty ceremony, adopted because it could not be evaded.

Resolved, That the doctrine asserted in the letter of removal, that a public officer, when called on to explain accusations affecting his official tenure and private reputation, has no right to ask specifications—to ask such a statement of the charge as to render it intelligible—is as novel as it is monstrous and unjust.

Resolved, That a committee of three be appointed to wait upon the Hon. Wilson Shannon, Governor of Kansas, and present him with a copy of the proceedings of this meeting; to ask the aid of the Executive in putting the same in active operation.

Resolved, That the Free State Committee take steps to collect such facts relative to the political constitution of the Territory which will be valuable and needed in Congress at its coming session; and that each member of the Free State Party be requested to collect and forward to some member of the Committee all the well authenticated facts which they may collect.

When the report had been read, Colonel Lane said that he had not the slightest knowledge of the facts recited in the resolutions and was unwilling to express an opinion thereon, nor was he willing to enter into the quarrel between Governor Reeder and the Administration, but the report was adopted.

Nomination of Delegate to Congress

When Governor Reeder was apprised of the arrangements for the Big Springs convention, he was making his preparations to return to his home in Pennsylvania. A day or two before the convention met he was at the Free-State Hotel, in Kansas City, Missouri. He concluded to attend the convention, and borrowed a carpet-bag from Colonel S. W. Eldridge, proprietor of the Hotel. Into this he packed some papers and clothing and set out for Lawrence. He attended the convention and inspired the report of the committee on the late legislation. Indeed, it is said that he wrote the report. He was indignant at the treatment he had received at the hands of the Administration and the Legislature. The phrase—"that we will endure and submit to these laws no longer than the best interests of the Territory require, as the least of two evils, and

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will resist them to a bloody issue" later made much trouble for the Free-State men in Kansas. When the matter of nominating a candidate for Congress came up, Mr. Conway moved that Andrew H. Reeder, late Governor of Kansas, be nominated by acclamation, as the candidate of the Free-State party. The *Kansas Free State* reports the action of the convention as follows: "The motion was carried by nine deafening cheers." Mr. Reeder was then called for. He came forward and delivered an eloquent speech, substantially as follows:

Mr. President and Gentlemen:

I thank you for the friendship and support which your applause evinces. Such applause and approval well repays any man for all the injustice that can be heaped upon him. You all will do me the justice to say that your nomination has been given entirely without solicitation from me or my friends. To accept it will seriously interfere with my private engagements, and on that ground I have continually refused it when urged until told by men from all parts of the Territory that my name was essential to success. I now accept the nomination, on the condition that it shall not be required or expected of me to canvass the Territory in person. To do so would not be consonant with my feelings, as, in case of an election, I desire to enter the halls of Congress able to say, "I come here with clean hands—the spontaneous choice of the squatters of Kansas." In giving me this nomination, in this manner, you have strengthened my arms to do your work, and in return, I now pledge to you a steady, unflinching pertinacity of purpose, never-tiring industry, dogged perseverance and all the abilities with which God has endowed me to the righting of your wrongs, and the final triumph of your cause. I believe, from the circumstances which have for the last eight months surrounded me, and which have at the same time placed in my possession many facts, and bound me, heart and soul, to the oppressed voters of Kansas, that I can do much toward obtaining redress for your grievances.

Day by day a crisis approaches us. In after times posterity will view this as a turning point—a marked period—such as to us now are the adoption of the Declaration of Independence, and the era of the alien and sedition laws. We should take each step carefully, so that each shall be a step in the way of progress, and so that no violence be done to the tie that binds the American people together. If any one supposes that any institutions or laws can be imposed by force upon a free and enlightened people, he never knew, or has forgotten, the history of our forefathers. American citizens bear in their breasts too much of the spirit of other and trying days, and have lived too long amid the blessings of liberty to submit to oppression from any quarter, and the man who, having once been free, can tamely submit to tyranny is only fit to be a slave.

I urge the Free-state men of Kansas to forget all minor issues and pursue with determination the one great object, never swerving, but ever pressing on, as did the wise men who followed the star to the manger, looking back only for fresh encouragement.

I counsel first, that peaceful resistance be made to the tyrannical and unjust laws of the spurious Legislature; that appeal be had to the courts, to the ballot-box and to Congress for relief from this oppressive load—that violence be deprecated so long as a single hope of peaceable redress remains; and, at last, should all peaceful efforts fail—if, in the proper tribunals, there is no hope for our dearest rights, outraged and profaned—if we are still to suffer that corrupt men may reap harvests watered

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by our tears, then there is one more chance for justice. God has provided in the eternal frame of things, redress for every wrong, and there still remains to us the steady eye and the strong arm—and we must conquer, or mingle the bodies of the oppressors with those of the oppressed upon the soil which the Declaration of Independence no longer protects. I am not apprehensive that such a crisis will ever arrive. I believe that justice may be found far short of so dreadful an extremity, and, even should an appeal to arms come, if we are prepared, that moment the victory is won. Our invaders will never strike a blow in so unjust a cause.

"Thrice armed is he who hath his quarrel just."

Let the Proclamation from the people calling the election be signed by every voter; let the legal requirements of an election be strictly observed. Our position should be only that of asking that the law be carried out.

When Ethan Allen was asked at Ticonderoga by whose authority he demanded the fort, he replied: "In the name of the great Jehovah and the Continental Congress." I expect that you will so prepare me, that, to a similar question, I may boldly answer: "The great Jehovah and the Kansas-Nebraska Bill Congress." . . . Let no rashness endanger the Union which we all love, and to which we all cleave.

I am reluctant to believe that the correct public sentiment of the South indorses the violent wrongs which have been perpetrated by Missourians upon the people of this Territory, and I wait to hear its rebuke. Should it not come, and all hope of moral influence to correct these evils be cut off, and the tribunals of our country fail us, while our wrongs still continue, what then? Will they have grown easier to bear from long custom? God forbid that any lapse of time should accustom freemen to the duties of slaves, and, when such fatal danger as that menaces, then is the time to

> "Strike for our altars and our fires,
> Strike for the green graves of our sires,
> God and our native land."

The address exerted a powerful influence on the convention and it is said that many of the delegates were in tears. The convention adjourned without any formal motion. Some committees had been appointed by the convention; one consisting of S. C. Pomeroy, James H. Lane and G. W. Brown was to wait upon Governor Wilson Shannon, who had recently arrived in the Territory, and communicate to him the action of the convention. The Kansas Free State Executive Committee was appointed by the Big Springs convention, and its members were, Charles Robinson, Chairman; Joel K. Goodin, Secretary; George W. Smith, John A. Wakefield, L. Macy, Fry W. Giles, William Phillips, Charles A. Foster, J. P. Fox, J. D. Stockton, W. K. Vail, John Brown, Jr., W. A. Ely, George F. Warren, John Hamilton, Hamilton Smith, Lotan Smith, Martin F. Conway, Samuel D. Houston, L. R. Adams, Luther R. Palmer, John E. Gould, Abelard Guthrie.

Honorable H. Miles Moore, delegate from Leavenworth, later wrote of the Big Springs Convention as follows:

It had in truth and in fact accomplished a great and glorious work for the Free-State cause in Kansas; it had fully organized the party

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in the Territory, put forth its platform, nominated a Delegate to Congress, appointed a day for his election, and indorsed the constitutional convention called to be held at Topeka on the approaching 19th of September. It had flung its banner to the breeze inscribed in letters of living light: KANSAS MUST AND SHALL BE FREE, PEACEABLY IF WE CAN, BUT FORCIBLY IF WE MUST. NO SLAVE SHALL LONGER CLANK HIS CHAINS ON HER VIRGIN SOIL. The days of secret Free-State meetings called by "Many Citizens," "Sundry Citizens," etc., held in Lawrence or elsewhere, with the names of the participants suppressed or not announced, was past, thank God! From this time henceforth their names were to be published broadcast and known and read of all men; no skulking now, but a fight in the open and to the death if need be. The Big Springs convention had given new life and inspiration to the Free-State settlers throughout the Territory, where before a spirit of despondency and apathy had prevailed. Hope and courage took on new life. Free-State meetings were held in many towns and settlements in the Territory.

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CHAPTER XXVI

THE TOPEKA MOVEMENT

The meetings of the pioneers leading up to the "Peoples Convention" have already been noticed. That at Lawrence on the 15th of August and the Big Springs Convention made the Topeka meeting a part of the Free-State program. And, forgetting past views and differences on the subject, the Free-State people stood loyally and undivided behind the Topeka or Statehood movement. It was without precedent, and, considering that there already existed in the Territory a government set up by the United States, and the fact that that government had been denounced and defied—the acts of the Legislature so oppressive and reprehensible that they were to be resisted to a "bloody issue," the Topeka Movement was in reality an insurrection. For the proclamations giving notice of it recited the oppressions of the Territorial Government side by side with the invasion of the Missourians and their conduct at the polls. That it escaped the usual fate of the insurrection, rested in the fact that to have suppressed it with a ruthless hand by the military would have brought upon the Federal Government the combined wrath of the Free States of the Union.

The Topeka Movement resulted finally in an appeal to force. Considering the political complexion of Congress its failure was a foregone conclusion. As a novel plan of keeping Kansas uppermost in the public mind, it served a very useful purpose. On the whole, its benefit to Kansas Territory and the Free-State cause far exceeded the troubles which followed in its wake.

The "Peoples Convention" met at Topeka on the 19th of September, 1855, pursuant to the various calls already noticed. William Y. Roberts was made President. The Vice-presidents were J. A. Wakefield, P. C. Schuyler, L. P. Lincoln, Joel K. Goodin, S. N. Latta, and R. H. Phelan. Secretaries, E. D. Ladd, J. H. Nesbit, and M. W. Delahay. A Business Committee consisting of fifteen members were appointed. On motion of J. H. Lane a resolution was adopted appointing a committee of eighteen to issue an address to the people of the Territory "and to the Civilized World, setting forth our grievances, the policy we have been compelled to adopt, and which we have determined at all hazards to carry out." Colonel Lane was made Chairman of the committee.

The future course of the Free-State party, so far as it should be bound by the movement, and a plan for the movement itself appeared in the report of the Business Committee, which it is necessary to set out at length, as follows:

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WHEREAS, The Constitution of the United States guarantees to the people of this Republic the right of assembling together in a peaceable manner for the common good, to "Establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of Liberty to themselves and their posterity," and

WHEREAS, The Citizens of Kansas Territory were prevented from electing members of the Legislative Assembly in pursuance with the Proclamation of Gov. Reeder on the 30th of March last, by invading forces from foreign States coming into the Territory and forcing upon the people a Legislature of non-residents and others inimical to the people of Kansas Territory, defeating the object of the organic act, in consequence of which the Territorial Government became a perfect failure, and the people were left without any legal Government until their patience has become exhausted, and endurance ceases to be a virtue, and they are compelled to resort to the only remedy left, that of forming a government for themselves. Therefore,

Resolved, by the people of Kansas Territory in Delegate Convention assembled, That an election should be held in the several election precincts of this Territory on the Second Tuesday of October next, under the regulations and restrictions herein after imposed, for members of a Convention to form a Constitution, adopt a Bill of Rights for the people of Kansas and take all needful measures for organizing a State Government preparatory to the admission of Kansas into the Union as a State.

Resolved, That the apportionment of said Delegates shall be as follows: Two Delegates for each Representative to which the people were entitled in the Legislative Assembly by Proclamation of Gov. Reeder of date 10th March, 1855.

Resolved, That a committee of seven be appointed by the chair, who shall organize by the appointment of a Chairman and Secretary. They shall keep a record of their proceedings, and shall have the general superintendence of the affairs of the Territory so far as the organization of a State Government, which committee shall be styled the "Executive Committee of Kansas Territory."

Resolved, That it shall be the duty of the "Executive Committee of Kansas Territory" to advertise said election at least fifteen days before the second Tuesday in October next, and to appoint three Judges thereof for each Precinct, and the said Judges of each Precinct shall appoint their Clerks, all of whom shall be duly sworn or affirmed to discharge the duties of their respective offices impartially, and with fidelity, and they shall have power to administer the oath or affirmation to each other; and the said Judges shall open said election at 10 o'clock A. M. at the place designated in each precinct by said Executive Committee and close the same at 4 o'clock P. M.; and in case any of the officers appointed fail to attend, the officer or officers in attendance shall supply the vacancy or vacancies; in the event of them all failing to attend, ten qualified voters shall supply their places; and the said Judges shall make out duplicate returns of said election, seal up and transmit one copy of the same within *five* days to the Chairman of the Executive Committee to be laid before the Convention; and they shall within *ten* days seal up and hand the other to some member of the Executive Committee.

Resolved, That the "Executive Committee of Kansas Territory" shall announce by Proclamation the names of the persons elected Delegates to said Convention, and in case the returns from any precinct should not be completed by that day, as soon thereafter as practicable, and in case of a tie a new election shall be ordered by the "Executive Com-

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mittee'' giving *five* days' notice thereof, by the same officers who officiated at the first election.

Resolved, That the said Convention shall be held at Topeka on the 4th Tuesday of October next, at 12 o'clock M. of that day.

Resolved, That a majority of said Convention shall constitute a quorum, and that the said Convention shall determine upon the returns and qualifications of its members, and shall have and exercise all the rights, privileges and immunities incident to such bodies, and may adopt such rules and regulations for its government as a majority thereof may direct. If a majority of said Convention do not assemble on the day appointed therefor, a less number is hereby authorized to adjourn from day to day.

Resolved, That in case of the death, resignation, or non-attendance of any Delegate chosen from any District of the Territory, the President of the Convention shall issue his writ ordering a new election on five days' notice, to be conducted as heretofore directed.

Resolved, That all white male inhabitants, citizens of the United States, above the age of *twenty-one* years, who have had a *bona fide* residence in the Territory of Kansas for the space of *thirty days* immediately preceding the day of election, shall be entitled to vote for Delegates to said Convention, and all white male inhabitants, citizens of the United States, above the age of *twenty-one* years, who have resided in the Territory of Kansas for the space of *three months* immediately preceding the day of election, shall be eligible as Delegates to said Convention.

Resolved, That if, at the time of holding said election, it shall be inconvenient, on account of Indian hostilities, or any other cause whatever, that would disturb or *prevent* the voters of any election precinct in the Territory from the free and peaceable exercise of the elective franchise, the officers are hereby authorized to adjourn said election into any other Precinct in the Territory, and to any other day they may see proper, of the necessity of which they shall be the exclusive Judges, at which time and place the qualified voters may cast their votes.

Resolved, That no person shall be entitled to a seat in the Convention, at its organization, except the members whose names are contained in the Proclamation of the Chairman of the Executive Committee. But after the Convention is organized, seats may be contested in the usual way.

Resolved, That the members of the Convention shall receive as a compensation for their services the sum of *Three Dollars* per day, and *Three Dollars* for every twenty miles travel to and from the same, and that Congress be respectfully requested to appropriate a sufficient sum to defray the necessary expenses of said Convention.

Resolved, That on the adoption of a Constitution for the State of Kansas, the President of the Convention shall transmit an authenticated copy thereof, to the President of the United States, to the President of the Senate, to the Speaker of the House of Representatives, to each member of Congress, and to the Governor of each of the several States of the Union, and adopt such other measures as will secure to the people of Kansas the rights and privileges of a Sovereign State.

The Executive Committee of Kansas Territory was appointed. It was composed of J. H. Lane, C. K. Holliday, M. J. Parrott, P. C. Schuyler, G. W. Smith, G. W. Brown, and J. K. Goodin. The convention then adjourned.

On the following day at 5 o'clock, P. M., the Executive Committee met in Topeka, at the house of E. C. K. Garvey and organized for work

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by electing James H. Lane as Chairman and Joel K. Goodin as Secretary. On the 21st of September the Committee met at the house of Dr. Robinson, at Lawrence to consider the work to be done. The Territory was divided into four districts for "canvassing purposes." Meetings were appointed for these districts beginning September 27th and running to October 8th. Speakers, the most prominent men in the Territory, were assigned for the meetings.

The Proclamation calling an election for delegates to the Constitutional Convention was issued on the 22d. It named the "Second Tuesday of October next" as the date of the election, and set the date for the meeting of the Convention on the "4th Tuesday of October next" at Topeka. Polling places were specified, instructions to Judges of Election formulated, an apportionment of delegates made, and qualifications for voters set out.

The election was held on the 9th of October. Except at Leavenworth there was no interference by Missourians. Andrew H. Reeder was chosen Delegate to Congress on the same day and at the same election. The total vote cast by the Free-State party for delegates to the Constitutional Convention was 2,710. The vote for Reeder was 2,849. These figures would indicate that there was on the 9th day of October, 1855, a Free-State population in Kansas Territory of at least 15,000. The Pro-Slavery population could not have been more than 5,000. To show the distribution of the Free-State population the vote cast for Reeder is here tabulated.

OCTOBER 9.—ELECTION OF A. H. REEDER, DELEGATE TO CONGRESS

No. Dist.	Place of voting	No. Votes
1	Lawrence	557
	Blanton	77
	Palmyra	16
2	Bloomington	116
	Benicia	27
3	Brownsville	24
	Topeka	131
	Tecumseh	31
	Big Springs	35
	Camp Creek	7
4	Willow Springs	54
5	Hampden	33
	Neosho	16
	Stanton	44
	Osawatomie	74
	Pottawatomie	56
	Big Sugar Creek	28
	Little Sugar Creek	41
6	Scott Town	27
	Columbia	20
	Fugua's	12
7	Council City	62
8	Wabaunsee	26
	A. I. Baker's	16
9	Pawnee	76
10	Big Blue	77
10	Rock Creek	30
11	Black Vermillion	14
12	St. Mary's	19
	Silver Lake	28
13	Pleasant Hill	43
	Falls Precinct	45
	Hickory Point	11
14	Burr Oak	33
	Doniphan	43
	Pelermo	32
	Wolf River	17
15	Oceana	32
	Crosby's Store	39
	Jackson Crane's	30
16	Leavenworth	503
	Wyandotte	38
	Delaware	22
	Easton	63
	Ridge Point	48
17	Wakarusa	7
	Mission	13
18	Iowa Point	40
	Moorestown	16
	Total	2,849

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The returns show that forty-eight delegates were elected to the Constitutional Convention, and that a special election was called in Burr Oak and Wolf River precincts for three additional delegates. However, only thirty-six signed the roll of the Convention. Thirty-seven signed the Constitution. The missing name from the roll is that of M. F. Conway. The roll shows the former political affiliation of the delegates. Twenty-one had been Democrats, nine had been Whigs, four had been Republicans, and two subscribed themselves as Independents, Dr. Charles Robinson being one of these.

For the purpose of showing the wide field from which Kansas Territory was then drawing her population, the native States of the delegates are given:

Kentucky	5	Tennessee	2
Indiana	2	Maryland	1
New York	4	Massachusetts	2
Illinois	1	Pennsylvania	6
Ohio	5	Virginia	1
Maine	2	England	1
South Carolina	2	Ireland	1
North Carolina	1		

Twelve of these delegates to form a Free-State Constitution for Kansas Territory were from the South—one-third of the Convention.

Twenty-one were from Ohio Valley States.

Two were from Massachusetts.

Only four were from all New England.

And this is about the proportion of Kansas population that these states and sections always furnished.

The New England Emigrant Aid Company was then already past its zenith and on the wane in Kansas. Its part in settling Kansas and in making her a free State was negligible.

But when it comes to the office-holders in the Convention we find a different state of affairs. There were thirteen officers, and five of them were from New England—three from Massachusetts and two from New Hampshire.

The roll of the Convention is given on following page.

The Constitutional Convention met at Topeka, on Tuesday, the 23rd day of October, 1855. It assembled in a building fronting East on Kansas Avenue, just north of 5th street. This building still stands and is known as Constitution Hall. The Convention was called to order by Judge John A. Wakefield. The deliberations were opened with prayer by Reverend Richard Knight. The roll of the delegates was called by Joel K. Goodin, Secretary of the Executive Committee. But twenty-one members answered to the roll call. A quorum not having been secured, the Convention adjourned until 9 o'clock Wednesday morning. The roll call on Wednesday showed a quorum present,—thirty members. The organization of the Convention was proceeded with. G. O. Smith, of Lawrence, was chosen Secretary. On motion of Colonel M. W. Delahay, James H. Lane was elected President. He

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Members Names	Residence	Occupation	Where born	Age	Married or Single	Former Politics
Prest of Convention						
J. H. Lane	Lawrence	Lawyer	Kentucky	33	Married	Democrat
John Landis	Doniphan	Farmer	Kentucky	28	Married	Democrat
James M. Arthur	Sugar Creek	Farmer	Indiana	38	Married	Democrat
Alfred Curtiss	Bloomington	Lawyer	New York	32	Single	Whig
James L. Sayle	Kickapoo	Farmer	Illinois	37	Married	Whig
David Dodge	Leavenworth	Lawyer	N. Y.	25	Single	Democrat
Joel K. Goodin	Clear Lake	Lawyer & Farmer	Ohio	31	Married	Democrat
Geo. S. Hillyer	Grasshopper Falls	Farmer	Ohio	35	Married	Whig
J. S. Emery	Lawrence	Lawyer	Maine	26	Single	Democrat
Philip Church Schuyler	Council City	Farmer	New York	50	Married	Republican
Morris Hunt	Lawrence	Lawyer	Ohio	27	Single	Whig
John A. Wakefield	Elysian Plains	Lawyer	South Carolina	59	Married	Whig
George Albert Cutler	Doniphan City	Physician	Tennessee	23	Single	Republican
Orville C. Brown	Osawatomie	Farmer	New York	44	Married	Whig
Charles Walter Stewart	Doniphan	Farmer	Kentucky	42	Married	Democrat
Samuel Mewhinney	Prairie City	Farmer	Ohio	45	Married	Democrat
Marcus J. Parrott	Leavenworth City	Lawyer	South Carolina	26	Single	Democrat
Mark. Wm Delahay	Leavenworth City	Lawyer & Journalist	Maryland	37	Married	Democrat
Chas Robinson	Lawrence	Agent Em. Aid Co	Mass.	37	Married	Independent
Geo. W. Smith	Lawrence	Atty At Law	Penna	50	Married	Whig
Harrison Burson	Bloomington	Farmer	Virginia	36	Married	Whig
Richd Knight	Hampden	Clergyman	England	48	Married	Independent
Robert Klotz	Pawnee	Merchant	Pennsylvania	35	Married & 1 Boy	Democrat
William Graham	Prairie City	Physician	Ireland	39	Married	Dem
Samuel N. Latta	Leavenworth City	Atty	Ohio	36	Married	Whig
C. K. Holliday	Topeka	Lawyer & Farmer	Pennsylvania	29	Married	Democrat
James Madison Tuton	Bloomington	Minister & Farmer	Tenn	33	Married	Democrat
William Young Roberts	Washington	Farmer	Penna	41	Single	Democrat
John G. Thompson	Silver Lake	Saddler	Penn	55	Married	Democrat
R. H. Crosby	Ocena	Merchant	Maine	21	Single	Republican
Amory Hunting	Manhattan	Physician	Mass.	61	Married	Republican
Stanford McDaniel	Residence Round Prairie	Farmer	N Carolina	31	Married	Democrat
John H. Nesbitt	Wabaunsee	Merchant	Pa	29	Single	Dem
Wm B. Griffith	Fort Scott	Farmer	Indiana	35	Married	Freesoil Demo.
Thomas Bell	Burr Oak Bottom	Farmer	Kentucky	45	Married	Democrat
Caleb May	Ocena	Farmer	Kentucky	40	Married	Democrat

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received fifteen votes out of nineteen cast. On taking the chair Lane delivered an inspiring address, in which he pictured the glory of Kansas, and her sacrifices voluntarily made for liberty.

Reporters for various newspapers were present, including the *Chicago Tribune, New York Tribune, Missouri Democrat* outside of Kansas, and the *Herald of Freedom* and *Kansas Tribune* in the State.

The Convention remained in session until the 11th of November, when it adjourned, its work having been completed. It framed a state constitution, which upon examination, stands the test of time for patriotism and statesmanship. There had not been sufficient time since the opening of the Territory for the requirements of the Territory to be fully manifest. Only the eastern part of the State contained settlers. The struggle for a free State centered the energies of the Convention on questions affecting that issue. The convention dealt much with generalities and considered seriously only those specific things affecting directly the erection of a free State. The great underlying principles of all government were considered.

It was provided that the Constitution should be presented to the people for ratification at an election held December 15, 1855.

At the same election there was submitted to the people for adoption or rejection, a general banking law.

A second provision was also submitted. This was the exclusion of all negroes and mulattoes, both free and slave, from the State of Kansas, forever.

A Memorial to Congress was framed praying for the admission of Kansas as a State under this Constitution, should it be adopted by the people.

In case of the adoption of the Constitution, a State government was to be organized under its provisions. This government was to have the usual officers, and generally the functions of a State of the American Union. As a matter of defense, and to render nugatory the just charge of insurrection, it was insisted, and generally understood, that the action of the government to be formed, and in the enactment of its Legislature, was to be inoperative and null and void, until the state movement, under the Topeka Constitution should be recognized by the Federal Government and the State admitted into the Union.

The Constitution provided that there should be no slavery in Kansas, no involuntary servitude, except for crimes committed. It also provided that the indenture of any negro or mulatto made or executed out of the bounds of the State should not be valid within the State. By sections, the constitution was divided as follows:

Article I. Twenty-two sections under the head of Bill of Rights.

Article II. Thirteen sections; the Elective Franchise.

Article III. The Distribution of Powers; one section.

Article IV. The Legislative Department of Government; twenty-seven sections.

Article V. The Executive Department; twenty-one sections.

Article VI. The Judicial Department; eighteen sections.

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Article VII. Educational System; four sections.
Article VIII. Five sections; Public Institutions.
Article IX. Five sections; Public Order and Public Work.
Article X. Militia; seven sections.
Article XI. A scheme of Finance and Taxation; four sections.
Article XII. Four sections; County and Township Offices.
Article XIII. Two sections; Corporations.
Article XIV. Four sections; Jurisprudence.
Article XV. Miscellaneous Matters; five sections.
Article XVI. Ways for Amendments to the Constitution; four sections.
Article XVII. Eleven sections; Banks and Currency.

The result of the election for the ratification of the Constitution was: For the Constitution, 1,731. Against the Constitution, 46.

In Leavenworth the election was disturbed by a Pro-Slavery mob, and the polling lists destroyed. Not counting the votes of that precinct, the total vote cast was 1,778. The Constitution having been adopted, a convention was called for the purpose of nominating a ticket for officers, under its provisions. This convention met at Lawrence, Saturday, December 22, 1855, and put up a Free-State ticket as follows: For Governor, Charles Robinson; Lieutenant Governor, W. Y. Roberts; Secretary of State, P. C. Schuyler; Treasurer of State, J. A. Wakefield; Judges of the Supreme Court, S. N. Latta, M. F. Conway, and Morris Hunt; Attorney General, H. Miles Moore; Auditor, G. A. Cutler; State Printer, John Speer; Clerk of the Supreme Court, S. B. Floyd; Reporter of Supreme Court, E. M. Thurston; Representative to Congress, Mark W. Delahay. Opposition to Robinson appeared immediately after the Convention. There was a large element in the Free-State party of Kansas who always distrusted Robinson. It was said that the radical element had secured the offices. The ticket of the dissatisfied element deposed Robinson for Governor and substituted W. Y. Roberts. Other changes were made. Colonel Lane, and other leaders, took strong grounds against this schism, saying that the Free-State party could not afford to wrangle and show a divided front on any question. The revolt was soon suppressed, but there was some dissatisfaction up to the day of the election. The bolting ticket was voted for, Roberts receiving 410 votes for Governor to 1,296 for Robinson.

One thing was clearly shown in the organization of the Free-State party, and the framing of the Topeka Constitution. That was, that James H. Lane was the leader of the Free-State forces in Kansas Territory. The record of the Executive Committee of Kansas Territory is preserved in the library of the Kansas State Historical Society. The proclamations and all public utterances were evidently the work of Lane. They show a wonderful insight into the conditions of those times, and reveal genuine statesmanship in dealing with the dangerous conditions through which the Free-State people of Kansas Territory were passing. Lane seemed equal to every occasion. A system of revenue was devised by him. It was a currency signed by himself as

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Chairman of the Executive Committee, and attested by J. K. Goodin, Secretary. The expenses of the Executive Committee and the Constitutional Convention were defrayed in this currency. Its total issue amounted to $15,265.90. Much of it has come into the library of the Kansas State Historical Society. It is the Continental money of Kansas. It has never been redeemed, for the reason that the Topeka movement ultimately failed of recognition by the United States government. There was no repudiation in the non-payment of this currency. It had been understood from the first that it would be worthless should the Topeka movement fail of Federal recognition. The period of the formation of this Constitution was the beginning of the dark period for the Free-State men in Kansas, and Lane is the man who stood in the breach. We shall see that he stood at the front and fought back the Border-Ruffians in the civil war which prevailed in the summer of 1856. The establishment of Kansas as a free State is due to James H. Lane more than any other man.

The First Thanksgiving

The first Thanksgiving in Kansas was appointed by James H. Lane, Chairman of the Executive Committee of Kansas Territory, as follows:

Proclamation

for a day of public thanksgiving and praise

In pursuance of a long established usage, which has always found a cheerful acquiescence in the hearts of a grateful people, and by direction of the Executive Committee of Kansas Territory, I do hereby appoint and set apart Tuesday, the 25th day of December next, to be observed by the people of Kansas as a day of public Thanksgiving and praise.

While insult, outrage, and death has been inflicted upon many of our unoffending citizens, by those whom we desire to recognize as brothers, while the attempt is being made to inflict upon us the most galling and debasing slavery, our lives have been spared, and a way pointed out by which, without imbuing our hands in blood, we can secure the blessings of Liberty and a Good Government. The fields of the husbandman have yielded abundantly, and industry in all its channels have been appropriately rewarded. For those and the innumerable blessings we are enjoying, let our hearts be devotedly thankful. From every altar let Thanksgiving and Songs of Praise ascend to that God from whom these blessings flow. Let the occasion be improved by the people of Kansas, for the advancement of Freedom, Virtue and Christianity—let the poor be remembered and relieved, and the day be wholly spent as Wisdom shall direct, and God approve and bless.

Given under my hand, at the office of the Executive Committee of Kansas Territory, in the City of Topeka, this 27th day of November, A. D. 1855.

J. H. Lane, *Chairman.*

J. K. Goodin, *Sec'y.*

Among other proclamations issued by Lane were:

1. Address and call for election to choose Delegates to the Constitutional Convention.

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2. Proclamation for special election in Burr Oak and Wolf River Precincts.

3. Proclamation calling an election to be held December 15, 1855, for the ratification of the Constitution, the vote on the Bank Law, and the Exclusion of Negroes and Mulattoes.

4. The proclamation announcing the result of the election for State officers.

5. A proclamation calling an election for State officers and members of Congress to be held January 15, 1856.

The election held under the Topeka Constitution, December 15, 1855, resulted in the choice of the Free-State ticket as nominated at the Lawrence Convention. The result of the election was announced by James H. Lane, Chairman of the Executive Committee of Kansas Territory, on the 6th of February. On the 8th of election of Mark W. Delahay for Representative to the 34th Congress was announced.

The Federal Government began to take notice of the Topeka movement in February, 1856. On the 24th day of January, President Pierce sent a special message to Congress endorsing the Kansas Territorial Legislature. He characterized the formation of the Topeka government as revolutionary, and an act of rebellion. On the 15th day of that month, Jefferson Davis, then Secretary of War, committed to Governor Shannon, then in Washington, an order which he had addressed to Colonel E. V. Sumner at Fort Leavenworth, and to Brevet Colonel P. St. George Cook, at Fort Riley. With the order was a copy of a proclamation issued on the 11th of February by President Pierce, as follows:

The order says that the President has "warned all persons combined for insurrection or invasive aggression against the organized government of the Territory of Kansas, or associated to resist the due execution of the laws therein, to abstain from such revolutionary and lawless proceedings, and has commanded them *to disperse and retire peaceably* to their respective abodes, on pain of being resisted by his whole constitutional power. If, therefore, the Governor of the Territory, finding the ordinary course of judicial proceedings, and the powers vested in United States Marshals, inadequate for *the suppression of insurrectionary combinations,* or armed resistance to the execution of the law, should make requisition upon you to furnish a military force to aid him in the performance of that official duty, you are hereby directed to employ for that purpose such part of your command as may in your judgment consistently be detached from their military duty.

Notwithstanding this warning, the Free-State party proceeded under the direction of the Topeka Constitution. The proclamation for the election of State officers had been issued on the 27th day of December, 1855. That proclamation provided that at the same time and at the same place, the voters would elect twenty persons for Senators and sixty persons for Representatives to the General Assembly of the State of Kansas. This General Assembly was elected with the State officers. The Constitution provided that it should meet on the 4th of March, 1856, at the City of Topeka, at 12 M. The Constitution also provided.

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that the Governor, Lieutenant Governor, Secretary of State, Judges of the Supreme Court and Attorney General should all appear at the same time and same place to take the oath of office and inaugurate the government provided by the Free-State Constitution. Pursuant to this provision the Legislature assembled at Topeka, and the State officers appeared and qualified as provided by the Constitution. The minutes of the Executive Committee of Kansas Territory contain the following report of the meeting of the Legislature:

CITY OF TOPEKA, 12 O'CLOCK M.

At the first session of the first General Assembly of Kansas under the Constitution of said State which was framed by a convention convened at Topeka on the 23d day of October, A. D. 1855, and ratified by the people on the 15th day of December, A. D. 1855, at 12 o'clock M. on Tuesday, the 4th day of March, A. D. 1856, in pursuance of the 3d section of the Schedule attached to said constitution. The house was called to order by J. H. Lane, Chairman of the "Executive Committee of Kansas Territory," with C. K. Holliday, Secretary pro tem of Executive Committee aforesaid.

There was a joint session of the Senate and House at 5 o'clock P. M. at which it was proclaimed that the officers voted for on the 15th day of January were duly elected. Charles Robinson, Governor, was introduced, took the oath of office and delivered an inaugural address. James H. Lane and Andrew H. Reeder were elected United States Senators. There was no opposition to either. Each received thirty-eight votes. The Legislature adjourned on the 8th day of March to meet on the 4th of the following July. On the 11th of February, 1856 the Executive Committee of Kansas Territory held a session at Lawrence, at which the following action was taken:

LAWRENCE, FEBY. 11TH, 1856.

Committee met—Present, Lane, Holliday, Brown and Goodin.

On motion of Mr. Holliday the Sec'y was directed to write M. J. Parrott, Esq., at Washington City, reminding him of his appointment as Chairman of a Committee of the Executive Committee to draft a memorial to be presented to Congress, setting forth our grievances and asking of Congress the immediate admission of Kansas into the Union as a State.

On motion of Mr. Brown it was resolved that the four remaining members of the Committee repair to Washington in order to prove as efficient as possible in securing for Kansas her admission into the Union as a Sovereign State, and that the sum of five hundred dollars, certificates of indebtedness, be issued to C. K. Holliday, G. W. Brown, J. K. Goodin and J. H. Lane toward defraying their expenses thereto, thereat, therefrom, in view of an overland route, and the difficulties and expense incurred in traveling in the present season of the year.

Provided that should Lane, Holliday, Brown and Goodin ascertain that their efficiency would demand of them that they should remain more than thirty days in Washington, that the sum of six dollars per diem shall be issued to said deputation (certificates of indebtedness aforesaid) for the further defraying of their necessary expenses while engaged in their aforesaid duties.

Provided further, that should said deputation leave for Washington

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on or before the 10th of March, A. D. 1856, or as soon thereafter as practicable, the Secretary be instructed to issue the Scrip aforesaid, yet retaining the same in his hands, after the same shall be countersigned, until such time as he may be satisfied the deputation aforesaid will visit Washington.

That the Secretary be farther instructed to request of M. J. Parrott, Esq., now in Washington City, to have written on parchment ready for certifying upon the arrival of the said deputation, the Constitution of the State of Kansas, that the same may be speedily presented to the Congress of the United States asking the immediate admission of Kansas into the Union.

That the Secretary be further instructed to forward to Mr. Parrott a file of the Herald of Freedom containing the Proclamation, etc., of the Executive Committee, and affording other data to aid him in the preparation of the memorial aforesaid—and that he be requested to remain at Washington till such time as the deputation can reach that point.

Pursuant to this order, Lane left for Washington soon after his election to the United States Senate. He carried with him a copy of the Free-State Constitution. On the 24th day of March, he had it presented to the United States Senate by Lewis Cass. It was attacked by Senator Douglas and withdrawn by Cass. It was presented in the House by Daniel Mace, of Indiana. On the 7th of April, Senator Cass presented the memorial of the Topeka movement asking the admission of Kansas. On the 18th day of April Lane wrote Douglas requesting that he explain a personal allusion to him by Douglas in a speech in the Senate. Mr. Douglas made a long reply. Lane had challenged Douglas to fight a duel. Douglas declined on the ground that Lane was inferior to him in official rank.

It is enough to say that Congress never did recognize the Topeka Constitution. The dispersal of the Free-State Legislature, at Topeka, on the 4th of July, 1856, by Colonel E. V. Sumner, as directed by the Administration, practically terminated the Topeka movement.

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CHAPTER XXVII

WILSON SHANNON

Wilson Shannon succeeded Andrew H. Reeder as Territorial Governor of Kansas. Shannon was born in what is now Belmont County, Ohio, February 24, 1802. His father moved from Pennsylvania to Ohio at an early date and was frozen to death in the winter of 1803 while on a hunting expedition along the Ohio River. He left seven sons and two daughters. These sons seemed to have been of more than ordinary ability. The eldest, John, was nineteen at the time of his father's death. He immediately went to work to support his widowed mother, and his brothers and sisters. He enlisted as a private in the army in the War of 1812 and rose to the rank of captain.

The second son, George, was a member of the Lewis and Clark expedition. On the Upper Missouri, while repelling an Indian attack, he was wounded in the leg. Upon his return it was found necessary that his leg be amputated because of this wound. He superintended the publication of the valuable journals of the expedition, in Philadelphia. There he studied law and was admitted to practice. Later he went to Lexington, Kentucky, where he was elected Judge of the Circuit Court. From Lexington he moved to Hannibal, Missouri, where he was elected to the State Senate. Afterwards he was appointed United States District Attorney for Missouri. He was defeated for the United States Senate by Thomas H. Benton. He died in August, 1836, in the Court House, while defending a man in a criminal action. Shannon County, Missouri, was named for him.

The third son, James, was educated by the efforts of his brother John, and sent to Lexington to study law in the office of his brother George. He became a fine lawyer and a leader in the Democratic party. He married a daughter of Ex-Governor Shelby. In 1832, the President appointed him to an important position in Central America. He died on the way to his post of duty.

John assisted the fourth son, Thomas, to enter commercial life. He was established as a merchant at Barnesville, Ohio. He was elected to Congress after a second year in the State Legislature.

David, the fifth son, was sent to Lexington to study law in the office of his brother George. He was admitted to the bar and afterward settled in Tennessee. President Jackson appointed him Judge of the Courts of Florida Territory. He died while arranging his affairs to enter upon his duties there.

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The sixth son was Wilson. His brothers John and Thomas sent him in his nineteenth year to the University of Ohio, at Athens. He remained there nearly two years. He was then sent to Lexington, Kentucky, to enter the Transylvania University. While there he studied law in the office of his brothers George and James: In 1826 he was admitted to practice, at St. Clairesville, Ohio. He rose rapidly in his profession. When his practice was sufficient to support himself and a wife, he was married to a daughter of Mr. E. Ellis, at that time Clerk of

GOV. WILSON SHANNON

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the Circuit Court. Much of his political advancement was the result of this marriage. His brothers-in-law were all influential men in Ohio politics. Among them were Honorable William Kennon; Honorable George W. Manypenny, Commissioner of Indian Affairs when Kansas was organized as a Territory; Honorable Hugh J. Jewett; and Honorable Isaac E. Newton. The influence of these men were exerted in his behalf. In 1832 he was the candidate of the Democratic party of his district to Congress, and was defeated by General James M. Bell, by only thirty-seven votes. In 1833 he was elected County Attorney for his county. He was re-elected in 1835. He was elected Governor of

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Ohio as a Democrat in 1838. He was the party candidate for the same office in 1840, but was defeated by Thomas Corwin. He favored the nomination of General Lewis Cass for the Presidency in 1844. That year he was appointed Minister to Mexico. He returned home on the breaking-out of the Mexican War. Upon the discovery of Gold in California, Governor Shannon went there, in 1849. He remained two years, but accomplished little, returning to Ohio in 1851. In 1852 he was elected to Congress. He approved the Kansas-Nebraska Bill and the Repeal of the Missouri Compromise. His approval of these measures made him unpopular in his district and he was not a candidate for re-election.

When Reeder was removed, the position of Governor of Kansas Territory was tendered to John L. Dawson, of Pennsylvania, who declined it. Shannon was an applicant for the place, and, upon the declination of Dawson, it was given to him. His commission was dated August 10, 1855. He arrived at Westport, Missouri, September 1st. In an address at Westport, he was reported to have admitted the validity of the laws of the bogus Legislature and to have expressed himself in favor of the establishment of slavery in Kansas Territory. In a communication to the newspapers, the Governor denied that he had uttered these sentiments, but it was well known that he held the views said to have been expressed by him, and in his article of denial he did not disavow them.

Affairs had changed greatly in the Territory during the administration of Governor Reeder. These changes have already been noted. The Missourians had in no wise relinquished their intention of making Kansas a slave State. The Free-State people of Kansas had organized the Free-State party and set up a Free-State government. Their actions were denounced as rebellion, and the people of Missouri were prepared to go, in the future, to much greater lengths than ever before, in order to accomplish their purpose in Kansas. While the South generally, had been much slower to act than had the North, there was a settled conviction and unity of purpose there that Kansas should be made a slave State. Organizations in various Southern states, for the purpose of sending Pro-Slavery emigrants into Kansas, had been effected. Many companies were in the process of formation in the winter of 1855-6. South Carolina, Alabama, and Georgia were foremost in this promoted emigration for political purposes. Major Jefferson Buford, of Eufaula, Alabama, left that place about the 1st of February with two hundred men bound for Kansas Territory. The emigrants from the Southern states were all well armed and formed into military companies. In the month of January the State of Alabama had appropriated $25,000 to "equip and transport emigrants to Kansas." It is supposed that Buford had the benefit of at least a portion of this appropriation. Major Buford arrived at Kansas City, Missouri, in April, with his Alabama companies and large bodies from Georgia and South Carolina. Thus was Mr. Thayer's promoted emigration bearing fruit and being met on the plains of Kansas.

From the organized resistance of the Free-State people, the Kansas

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or Territorial Legislature became known as the "Bogus" Legislature. It will be remembered that the Free-State people of Kansas had taken a position that the Legislature was largely a non-resident body, illegally constituted after an election by fraud. The resolutions passed on the subject of the Territorial Legislature by the Big Springs Convention, fairly represented the position of the Free-State party. While this Legislature was clothed with the vestments of legality and had the outward form of a legally constituted body, it will be spoken of hereafter as the Bogus Legislature. Morally it had no right to a minute's exist-

BENJAMIN F. STRINGFELLOW

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ence. It was villainously composed, and its purposes and acts reprehensible to the last degree.

The correspondent of the *Missouri Republican* furnished a communication to the issue of that paper of July 3, 1855, in which he gave an account of an altercation between General B. F. Stringfellow and Governor Reeder, which he described as follows:

Yesterday morning Gen. B. F. Stringfellow, of Weston, Mo., proceeded to Governor Reeder's residence, near the Shawnee Mission, and after introducing himself to the Governor, said, "I understand, sir, that

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you have publicly spoken and written of me in the East as a frontier ruffian, and I have called to ascertain whether you have done so."

Gov. R. "I did not so write, or speak of you in public."

Gen. S. "Did you speak of me in those terms anywhere, or at any time?"

Gov. R. "No, sir."

Gen. S. "Did you use my name at all?"

Gov. R. "I may have used your name in private conversation."

Gen. S. "Did you use it disrespectfully? Did you intimate, or insinuate that I was other than a gentleman?"

Gov. R. "I might have done so."

Gen. S. "Then, sir, you uttered a falsehood, and I demand of you the satisfaction of a gentleman. I very much question your right to that privilege, for I do not believe you to be a gentleman; but I nevertheless give you the opportunity to vindicate your title to that character, by allowing you to select such friends as you may please, and I will do the same, and we will step out here and settle the matter as gentlemen usually do."

Gov. R. "I cannot go. I am no fighting man."

Gen. S. "Then I will have to treat you as I would any other offensive animal."

And with that he knocked Reeder down with his fist.

From this incident originated the term, "Border-Ruffian." It was applied to those Missourians, and all the promoted emigration from the South, who took an active part in the effort to force slavery upon Kansas. By the Free-State men it was considered an epithet of opprobrium. The Missourians, however, gloried in it. In many Missouri border towns, merchants called their stores and business enterprises, the Border-Ruffian Store, the Border-Ruffian Company, etc.

On the 5th day of November, 1855, Atchison replying to an invitation to attend the King's Mountain Celebration, wrote the following letter, in which he complained that the South was slow in responding to the calls for help in the work of establishing slavery in Kansas.

PLATTE CITY, MO., SEPT. 12, 1855.

Gentlemen:—Your letter of invitation, requesting my attendance at the Celebration of the Battle of King's Mountain, has been received. It will be altogether inconvenient for me to be present on that occasion. I have certain duties, both private and public, to discharge at home. The Battle of King's Mountain was fought by the Whigs, under the lead of Campbell, McDowell, Shelby, Sevier and Williams, against the forces under the gallant Ferguson. We have a similar foe to encounter, in Kansas, on the first Monday in October next—the "border ruffians," such as fought with McDowell, Shelby, etc., on the one hand, and the Abolitionists, such men as fought with Ferguson, on the other. We (the "border ruffians") have the whole power of the Northern States to contend with, single-handed and alone, without assistance and almost without sympathy from any quarter; yet we are undismayed. Thus far have we been victorious; and with the help of God we will still continue to conquer.

Gentlemen, I thank you for the kind expression in the concluding paragraph of your letter—"three cheers for Atchison and Kansas!" I have read this paragraph to sundry of the "border ruffians," and their eyes sparkle; their arms are nerved. We have been acting on the

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defensive altogether. The contest with us is one of life and death, and it will be so with you and your institution if we fall. Atchison, Stringfellow, and the "border ruffians" of Missouri fill a column of each Abolition paper published in the North; abuse most foul and falsehood unblushing is poured out upon us; and yet we have no advocate in the Southern press—and yet we receive no assistance from the Southern States. But the time will shortly come when that assistance must and will be rendered. The stake the "border ruffians" are playing for is a mighty one. If Kansas is Abolitionized, Missouri ceases to be a slave State, and New Mexico becomes a free State; California remains a free State; but if we secure Kansas as a slave State, Missouri is secure; New Mexico and Southern California, if not all of it, becomes slave States. *In a word, the prosperity or the ruin of the whole South depends on the Kansas struggle.*

Your obedient servant,
D. R. ATCHISON.

The correspondent of the *Cleveland Ohio Leader,* writing from Leavenworth, October 2, 1855, gave this forecast of the situation:

These are turbulent times. We are in the commencement of a great battle. The skirmishes we have had are but the scattering drops before the storm that is approaching. The thunders will be upon us unless the PEOPLE of the North rise in their might and say to the Slavery Propagandists and their subservient slaves—the present Administration —THESE OUTRAGES MUST CEASE! We hope to hear the thunders of the voice of the people of Ohio, on the 9th day of October, in the ears of these tyrants. *Arouse, Free-men! Slumber not while this black nightmare of Slavery rests upon the bosom of Liberty!* Awake! And scare away the grim demon that haunts our rest! Our hope is in YOU. Our election is appointed for October 9th, the same day of your own. The enemy is preparing to attack us in large forces that day. A band of seventy-five are now approaching our Southern border. The officers of the United States troops stationed in this place, under instructions from headquarters, wink at the villainies of the Missourians and refuse to interfere or protect life, property and liberty. Unless you rebuke and frighten with the thunders of your just indignation this corrupt pro-slavery Administration, we fear that our fate is sealed and this fair land doomed forever to the black curse of Slavery.

These sentiments will serve to show the state of feeling in Kansas Territory in the summer and fall of 1855. The determination of both sides to succeed was rising. The feeling between the Pro-Slavery and Free-State men was increasing in intensity. Instances of barbarity perpetrated by the Border-Ruffians called forth a demand for retaliation, which added a personal feature to the general conflict.

Governor Shannon established himself at the Shawnee Mission. His office there was known as the Governor's Room. He seemed to ignore entirely the real settlers of Kansas, or, at least, made no effort to meet them and hear their side of the situation. He was surrounded by the Missourians and was imbued with their point of view. Steps must be taken to offset the organization of the Free-State party and the Topeka government.

The task of Governor Shannon was very different from that which the

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slave propaganda had expected of Governor Reeder. In the evolution of the infamous code, they had attempted to render "Abolitionism" impossible of existence in Kansas. It could be obeyed by none save a Pro-Slavery community. If the slave laws of this code could be enforced in a town—Lawrence for instance—and the people compelled to live under them and give allegiance to them, they must of necessity become a Pro-Slavery community. Free-State sentiment would cease to exist, or be so stifled as to become impotent and harmless. The position assumed by the party formed by the Free-State men would, if they were permitted to persist in its maintainance, overthrow the whole structure erected by the bogus Legislature for the establishment of slavery in Kansas Territory. It was not the purpose of the advocates of slavery to passively permit defeat to come so easily to their plans.

In his consultation with the Missourians, Governor Shannon had evidently marked out a course for himself. It was in accordance with the progress already made by the Missourians and their friends. The task set for himself by Governor Shannon, was to enforce the laws passed by the Territorial Legislature, now denominated by the people of Kansas, the "bogus" laws. Some plan must be devised to compel the Free-State people to accept and obey these laws. This had been the burden of the utterances of President Pierce and Jefferson Davis. Refusal to obey these bogus laws was rebellion, they proclaimed. All the power of the administration, all the force possible to be exerted by the slave propaganda of the South, and all the fury of the Border-Ruffians were to be turned into Kansas and compel obedience to the bogus laws. The first step in this process was to be the formation of a "Law and Order" party.

On the 3rd of October, a Pro-Slavery meeting was held at Leavenworth which discussed the situation fully. A committee was chosen to issue an address to the people on existing conditions. The committee was composed of the following named gentlemen: Andrew J. Isacks, D. J. Johnson, W. G. Mathias, R. R. Rees, L. F. Hollingsworth and D. A. N. Grover. It has been the custom from time immemorial for persons who are preparing to violate all laws to take refuge under cover of law—the dry and withered husk of technicality. They invoke strict construction of laws, and what this vague "strict construction" really implies never can be determined. In Kansas Territory it was made to cover every form of outrage and violence which malevolent ingenuity could invent. This address appealed to "the lovers of law and order" urging them to resist the measures of the Free-State people in opposition to the actions of the Territorial Legislature. It urged these same "lovers of law and order" to assemble in mass meeting at Leavenworth on the 14th of November. The Pro-Slavery forces responded, and the meeting held on that day was composed of the Border-Ruffians at Leavenworth and the vicinity, with a goodly number of those from Missouri. Governor Shannon was present. He was an accredited delegate from Douglas County, although he did not reside there. He was fully acquainted with the object of the meeting of which he was elected President.

The Vice Presidents were: Chief Justice S. D. Lecompte, Gen. G. W.

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Clark, T. C. Slocum, I. B. Donalson, Colonel G. W. Purkins, Honorable A. McDonald, General William Barbee, General A. J. Isacks, Judge Rush Elmore, Judge John A. Halderman, General W. P. Richardson, Colonel J. C. Burge, Colonel B. H. Twombly.

The Secretaries were: Dr. J. H. Stringfellow, L. J. Eastin, James H. Thompson, S. A. Williams, George N. Propper, H. A. Halsey.

The Committee on Resolutions was composed of the following named gentlemen: John A. Halderman, G. W. Purkins, J. H. Stringfellow, J. C. Thompson, L. J. Eastin, W. G. Mathias, G. W. Clark, Thomas T. Slocum, S. A. Williams, D. M. Johnson, A. Payne, Amos Rees, W. P. Richardson.

A committee was appointed to prepare an address to the people of the United States. This committee was made up as follows: Governor Wilson Shannon, Chairman; John Calhoun, from Illinois; James Christian, from Kentucky; Thomas T. Slocum, of Pennsylvania; George W. Clark, from Arkansas; A. J. Isacks, of Louisiana; George W. Purkins, of Virginia; I. B. Donalson, of Illinois; G. W. Johnson, of Virginia; John A. Halderman, of Kentucky; A. Rodrigue, of Pennsylvania; Ira Norris, of New Hampshire; O. B. Dickinson, of New York, and W. H. Marvin, of Iowa.

It has been frequently noted herein that the Democratic party was not considered entirely suitable to the work of enforcing the Pro-Slavery propaganda in Kansas. Governor Reeder had found that Democracy in Pennsylvania, and Democracy in Missouri and Kansas Territory, were entirely dissimilar in purpose and method. The resolutions brought in emphasized this difference. And they were adopted as follows:

(1) *Resolved,* That we, the people here assembled, believing the Constitution of the United States, and the laws passed in pursuance thereof, are sufficient for the protection of our rights, both of person and property, and that in the observance of the same are vested our only hopes of security for liberty and the Union, and that we will maintain the same at all hazards.

(2) *Resolved,* That in every government, whether Monarchical, Aristocratic, Democratic or Republican, the liberty, the life and the property of no individual is safe unless the laws passed by the properly constituted authorities are strictly and freely obeyed.

(3) *Resolved,* That we hold the doctrine to be strictly true, that no man or set of men are at liberty to resist a law passed by a legislative body, legally organized, unless they choose by their actions to constitute themselves rebels and traitors, and take all the consequences that legitimately follow the failure of a revolution.

(4) *Resolved,* That the course pursued under this Territory by certain persons professing to be the peculiar friends of human freedom is at variance with all law, and entirely subversive of good order, and is practical nullification, rebellion and treason, and should be frowned upon and denounced by every lover of civil liberty and of the perpetuity of the Union.

(5) *Resolved,* That the repudiation of the laws and properly constituted authorities of this Territory, by the agents and servants of the Massachusetts Aid Society, and the armed preparation of such agents and servants to resist the execution of the laws of Kansas, are treasonable and revolutionary in their character, and should be crushed at once by the strong, united arm of all lovers of law and order.

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(6) *Resolved,* That the admission of Andrew H. Reeder, to a seat in the next Congress of the United States, would be in violation of all law and precedent, and would have a tendency to encourage treason against all good government, and that the same would be an outrage upon the citizens of Kansas.

(7) *Resolved,* That the convention lately assembled at Topeka, to form a constitution for a State Government, called and elected by and composed of members of one political party, the so-called "Free-State Party," and neither called nor elected by THE PEOPLE OF KANSAS, would have been a farce if its purposes had not been treasonable; and any constitution presented by such a convention is unworthy the serious consideration of freemen, and if presented to Congress, as the Constitution of Kansas, should be scouted from its halls as an insult to its intelligence and an outrage upon our sovereign rights.

(8) *Resolved,* That we cordially indorse the Kansas-Nebraska act, and more especially that part of it which repeals the Missouri Compromise and enunciates the principle that the people of every Territory, in framing their organic law, have a right to decide for themselves what domestic institutions they will or will not have.

(9) *Resolved,* That the Kansas-Nebraska bill recognizes the true principles of Republican Government, and that we feel that we are as fit for, and as capable of, self-government as we were when citizens of the States, and that we denounce any attempt on the part of Congress or the citizens of other States to interfere with or control our domestic affairs.

(10) *Resolved,* That, as citizens of a Territory, not having any right to the expression of our voice in the election of the Chief Magistrate of the nation, yet we cannot refrain from the expression of our gratitude to the Democrats of the Northern States for their undeviating support of the true principles of government, contained in the organic law of this Territory.

(11) *Resolved,* That we condemn and scorn the acts and falsehoods of the Abolition and Free-soil prints throughout the country, in misrepresenting the facts growing out of the organization of this Territory, all of which are calculated to mislead public sentiment abroad, and retard the growth, settlement and prosperity of the Territory.

(12) *Resolved,* That we, the members of this Convention, the *Law and Order party,* the *State Rights party* of Kansas, the opponents of Abolitionism, Free-soilism and all the other *isms* of the day, feel ourselves fully able to sustain the organic law of the Territory and the acts of the Territorial Legislature passed in pursuance thereof, and we hereby pledge ourselves to support and sustain Gov. Shannon in the execution of all laws, and that we have the utmost confidence in the disposition and determination of the Executive to fully and faithfully discharge his duties.

The address provided for was issued on the 30th of November. It was signed by Wilson Shannon, John Calhoun, George W. Purkins, G. W. Johnson, A. Rodrigue, G. W. Clark, A. J. Isacks, I. B. Donalson, John A. Halderman and Ira Norris. The closing paragraph of the address is as follows:

In conclusion we have to say what Whig and Democrat, Pro-slavery and Free-state men, making a sacrifice of all party names and organizations upon the altar of the public good, have resolved to be known hereafter as the Law and Order party, or "State Rights" party of Kansas, and have given to the world, and have pledged their united

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faith in support of a platform of principles laid down in the resolutions which follow. Upon that platform they will stand, insisting upon the execution of the laws; the maintenance of the principles of the organic act of the Territory, affirming for the citizens of Kansas the right to frame their own institutions in their own way, and resisting and repelling all interference from abroad, let it come from what quarter it may, claiming for ourselves the capacity of self-government, to be the friends of the Union, and of the rights of the States. We ask of our friends abroad only the benefit of their advice, sympathy and prayers for our success, and hope to merit their approving judgment.

The adoption of the resolutions by the Pro-Slavery party founded the Law and Order party in Kansas Territory. The Law and Order party as organized by the meeting at Leavenworth was, in fact, a vicious and atrocious vigilance committee, and it developed into an instrument of terrorism. It was a weapon placed in the hands of the lawless element which had invaded Kansas to fraudulently carry elections, and which it was designed to have invade Kansas in the future to inaugurate civil war.

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CHAPTER XXVIII

THE WAKARUSA WAR

The Murder of Dow

Hickory Point was in the south part of Douglas County, on the old Santa Fe Trail. In that vicinity some of the roads locally known as California trails, California roads, Santa Fe roads, etc., came into the main trail. This led the pioneers to believe that important towns would grow up in that vicinity. Some of the first claims staked out in the Territory were along this trail at the junction of these minor roads with the mother trail. The towns of Palmyra, Louisiana, Brooklyn, Willow Springs, and others, were projected at an early date. The pioneer settlers had no idea of the locations of the future railroads that would be built in Kansas. Even at the time of the opening of the Territory, a large commerce was being carried over the old Santa Fe Trail. It had been so for more than thirty years.

One of the first settlers about Hickory Point was Jacob Branson. He had come from Indiana to Wyandotte, now Kansas City, Kansas, in March, 1854. He remained there until August, 1854, when he moved to Hickory Point, sometimes locally known as Hickory Grove. The town of Louisiana was laid out to include it at a very early date, but did not survive.

Lewis Farley was also from Indiana. In March, 1855, he with his family was living on a claim near Hickory Point. In the first settlement of the Territory, the squatters made a regulation or law that each settler might hold two claims of 160 acres each; one a prairie claim; one a timber claim. Mr. Farley was holding claims for himself, his father, his brother and his brother-in-law. His father, brother and brother-in-law came out and lived for a time on the claims he was holding for them. He built a house on each of the claims, but before his relatives had finally settled, the claims were jumped, and Farley was left in possession of only his own claim. Later in the spring, a number of Missourians came into that neighborhood looking for claims. They told him he would have to leave his claim on which there was timber. He replied that he had abandoned his prairie claim and intended to live on and improve the timber claim. They persuaded him to go to Willow Springs to submit the matter to a referee. He did not return for some time, and one of the mob said, "they had run off Farley—the stinking scoundrel; and now they would starve out his

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wife and children." The Missourians had torn down his house, and it developed later that they had mobbed Farley. The reason the Missourians gave for destroying Farley's house was that he was a Free-soiler, and that he was claiming more land than he deserved. Mr. Farley and his family were compelled to leave that neighborhood. Those engaged in the outrage perpetrated against Farley were James Morrison, who lived near Westport, and his son, John Morrison, F. M. Coleman, Thomas Hopkins, Joe Lager, and a man called Ripeto. That was the first outrage perpetrated in the vicinity of Hickory Point. Ripeto said of Farley, "the d—d abolition" (using a vile name); "he intended to kill him." Ripeto said to William McKinney, "We have torn down Farley's house. They have given Branson notice to leave there and the d—d old abolitionist is so badly scared that he dares not step out fifty yards from his house to cut a stick of timber for fire wood." There were not to exceed twenty families of Pro-Slavery people in the Hickory Point settlement, and three or four times as many Free-State families.

Charles W. Dow came from Ohio to Hickory Point in February, 1855. He selected a claim which was immediately south of that of Jacob Branson, which had formerly belonged to William White, of Westport, Mo. He was unmarried and went to live at the house of Branson, where he made his home until he was murdered. There were a number of Pro-Slavery men living about Branson, among them Franklin M. Coleman, Josiah Hargis, and H. H. Buckley, who was from Johnson County, Missouri. Coleman was a Virginian who had moved to Louisa County, Iowa, in 1849. From Iowa he went to Kansas City, Missouri, in April, 1854, where he remained three months, coming then to Kansas Territory in 1854.[1] While in Missouri he was the proprietor of the Union Hotel, at Kansas City. He came to Hickory Point in September, 1854. He jumped a claim held by a non-resident named Frasier, and which joined that of William White, and later jumped by Dow. Coleman had questioned Dow about the burning of the cabin on the White claim. They had a quarrel about it and Coleman said, "You deny doing it yourself, but will not say you do not know of its being done, and I think such men as those are dangerous in the country." Dow's claim was immediately east of that of Coleman. There was a conditional line between the claims of Dow and Coleman and this line had been mutually agreed upon and was satisfactory to both parties. When the Shawnee Reserve line was surveyed, the settlers believed it furnished a base from which they might determine very nearly where the lines of their claims would fall when the Government finally made the survey of the land. The Shawnee line was two and a half miles east of the claim of Coleman. Dow and others surveyed their claims

[1] In his statement to the Congressional Committee to investigate the troubles in Kansas Territory, Coleman said he had gone to California from Virginia, in 1850, and does not mention having moved to Iowa. In his statement to Brewerton he says he moved to Louisa County, Iowa, and said nothing of having moved to California.

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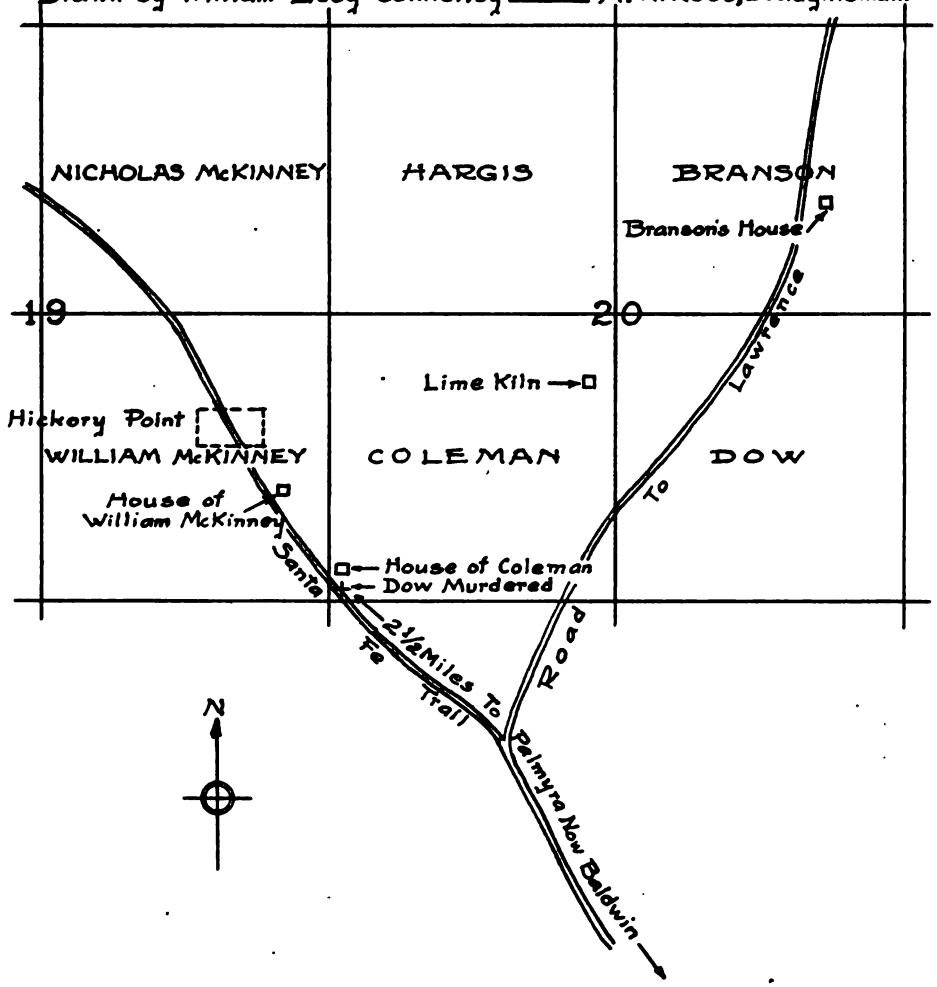
MAP OF SECTION 20 AND THE EAST HALF OF SECTION 19, TOWNSHIP 14, RANGE 20, DOUGLAS COUNTY, SHOWING THE CLAIMS ABOUT HICKORY POINT AT THE TIME OF THE MURDER OF CHARLES W. DOW - NOVEMBER 21, 1855 - AS LOCATED BY THE GOVERNMENT SURVEY.

Drawn by William Elsey Connelley —— A. W. Ross, Draughtsman.



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using the Shawnee line as a base. This was not satisfactory to some of the squatters, especially the Missourians, who believed it best to allow their claims to stand as they had been staked out, until the Government survey was made. These new lines threw Dow's west line over on the east part of Coleman's claim about two hundred and fifty yards. The claim of Jacob Branson was thrown west the same distance, causing him to encroach on the land claimed by Hargis. Contention arose between Branson, Hargis, Dow and Coleman over this matter. Hargis and Coleman desired the old lines to stand, and they continued to cut timber east of the new lines surveyed from the Shawnee Reserve line. Dow protested to Coleman when he continued to cut timber. Coleman afterwards insisted that Dow was abusive in his interview and threatened to find a way to prevent his cutting timber on the disputed land. Coleman was engaged at that time in burning lime, and having a kiln on the strip of land in dispute, it was necessary for him to have wood.

A Mr. Poole owned a blacksmith shop at Hickory Point. About twelve o'clock on the 21st of November, 1855, Dow went to that shop to have a wagon-skein and linch-pin repaired. Salem Gleason stopped at the shop, and as he was entering, he heard Poole remonstrate with Buckley, saying, "Mr. Buckley, if you cannot behave yourself, get out of the shop. I will not have such words in the shop." It seems that there had been a controversy between Buckley and Dow. The entrance of Gleason caused the conversation to be stopped. Dow paid for his work and left in the direction of his house. The trouble between Buckley and Dow involved Branson. Some time before that at the house of Thomas Breese, Buckley had said that he meant to shoot the paunch off old Branson and Dow because they were abolitionists and would steal his niggers. The controversy between Buckley and Dow was over something which Buckley affirmed Dow had said about him. Buckley had a double-barreled shotgun, with both barrels cocked. He said that he had cocked the gun to shoot Dow.

On the morning of the 21st of November, Branson and Dow went to Dow's claim. They put a log heap on fire to burn some lime. Later Dow started to the blacksmith shop with the wagon-skein. He soon returned and told Branson that Coleman and a man in his service, Harvey Moody, were on his claim cutting timber. He requested Branson to go with him to warn them off, as Coleman had refused to leave when ordered to do so. Branson took his gun but Dow refused to arm himself, although urged to do so. Before they arrived at the point where the wood was being cut, Coleman was seen to leave the premises. Moody remained and had some conversation with Branson and Dow. Branson again urged Dow to go back to the house and get his gun or a pistol. Dow refused to do so.

When Coleman left the claim at the approach of Branson and Dow, he went home and got his shotgun. As Dow was returning from the blacksmith shop, he passed the house of William McKinney. Coleman was at the house talking to Mr. McKinney. When Dow came opposite

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McKinney's house, Coleman went out toward the road where Dow was passing. McKinney was afraid trouble would arise and told Coleman to wait, that he wanted to see him. Coleman replied that he would see him that evening. From the McKinney house, Coleman and Dow went off down the road together. When they got opposite the house of Coleman, McKinney heard a gun fired in that direction, and looking up he saw the smoke of the gun, and saw Mr. Coleman with the gun at his shoulder. Coleman and Dow were at that time some three or four hundred yards from the house of McKinney. H. H. Buckley passed the McKinney house about the time Coleman had fired, passing on in the direction of Coleman and Dow. A Mr. Wagner was with Buckley. Dow was some thirty or forty yards from Coleman when fired upon and killed.

The first attempt of Coleman to shoot Dow failed. The cap exploded without discharging the gun. It seems that Dow was unaware of the intention of Coleman to shoot him. He had gone some twenty-five or fifty yards down the road from Coleman, and when he heard the cap explode, he turned about, raised his hand, and motioned with his finger to Coleman, as if he were talking earnestly to him. Coleman put another cap on his gun after Dow had turned around, then raised his gun, aimed at Dow and fired, when Dow immediately fell backward dead. The body of Dow was left lying in the road until near night, although viewed by a number of Pro-Slavery people. When Mr. Branson heard of his death he went to find the body.

Dow was lying on his back, north and south across the road, his head near the middle of the road. The wagon-skein was lying on the fingers of his right hand. Soon after Branson arrived at the body Mr. Hargis came by with a wagon having no box. The body of Dow was put on the running-gears of this wagon and taken to the house of Branson. Upon examination nine holes were found in Dow's body. It developed that the gun had been loaded with leaden slugs. Two of these had entered the neck, severing the jugular vein. The other shots were in his breast. Some of the slugs had passed entirely through the body and were found in the clothing.

The bogus Legislature had appointed as Sheriff of Douglas County, one Samuel J. Jones, then postmaster at Westport, Missouri. After he had murdered Dow, Coleman went to the Shawnee Mission and gave himself into the custody of Sheriff Jones. In his statement concerning the homicide, he says he did this for the reason that Jones was the Sheriff of the county in which he lived. Governor Shannon directed that Coleman be taken before a magistrate of Douglas County. On the road thither with Coleman, Jones met a messenger at the Bull Creek crossing, warning him that feeling was running high at Hickory Point, and that it was dangerous to go there with his prisoner. Jones took Coleman back to Shawnee Mission, when the Governor directed that he should be taken to Lecompton and arraigned before Judge Lecompte. Judge Lecompte was not then at Lecompton. After waiting eight days for him to appear, Coleman was carried before J. P. Saunders, Justice

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of the Peace, where he was released on bail, the amount of which was $500. His bond was signed by Mobillon McGee and Thomas Mockaby.

While Dow was not murdered because he was a Free-State man, but in a dispute over the lines of a claim, the political conditions of the Territory were primarily at the bottom of it. The community was sharply divided on the subject then uppermost in the public mind. Dow and his first friend, Branson, were Free-State men, and Branson seems to have been an active one, and a leader. His life, as well as that of Dow, had been threatened because they were "Abolitionists." The Pro-Slavery men of the settlement stood behind Coleman. There is little doubt that he was aided and abetted in his crime by these men. The Free-State men must have believed so. Dow was murdered on Wednesday, and his funeral was on Saturday. It was largely attended by the Free-State settlers. Gazing upon his death-stricken face—standing by his open grave—vengeance stirred their hearts. They might be standing on the brink of eternity themselves. Their wives and children might be left helpless and alone on this dangerous frontier. For what? That slavery might live and freedom die. That was at the bottom of it all. The immediate cause might be a dispute about a claim—or a horse, or any other minor matter—but those for slavery had acted together against Dow. Alive, he was an individual contending for his property-rights. Dead, he represented the spirit contending in Kansas for freedom. Living, his contest concerned himself. Dead at the hands of a Border-Ruffian, he represented the cause for which the Free-State men were then braving the consequences of insurrection. True, they were in the majority there, but yonder in Missouri! There was the reserve strength of the Pro-Slavery hordes who came over to impose bogus institutions on them.

Early on the morning after the murder, a number of Free-State men assembled and began a search for Coleman. There were some fifteen or sixteen of them. About a quarter of a mile from Coleman's house they were joined by a party of as many more, who came up from the timber in the direction of the residence of Branson. They stopped at Coleman's gate, sending three of their number in to search the house. Most of them were armed with Sharps' rifles, some with common rifles. Branson was with this party, the leader of it.[2] Coleman was

[2] In his statement to Brewerton, Coleman reviews the whole trouble between himself and Branson, as well as that with Dow. This statement is given:

I am a native of Brook County in Virginia. I left that State in 1849, and removed to Louisa County, Iowa, from whence I emigrated to Kansas City, Mo., in April, 1854. Here I kept the Union Hotel until September of last year. From this place I moved with my family, consisting of a wife and child (a boy of six years old,) to Hickory Point, on the Santa Fe trail, distant some ten miles from Lawrence, K. T.

At this time, the greater part of the land near Hickory Point was held by three Indianians, who occupied, partly by their own claims, but mostly as the representatives of certain friends of theirs in Indiana, who, though non-residents, claimed title by them as their proxies. Time

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not found. They questioned a neighbor closely, but only learned that he had gone to the Shawnee Mission to give himself up to the Sheriff. On the day of the funeral Mrs. Coleman sent John M. Banks to notify the Sheriff to remain at the Mission with her husband until the matter could be investigated. Banks went to Lawrence on Monday and was

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passed on, and the absentee claimants neglected to comply with the requisitions of the 'Squatter Laws,' thereby forfeiting their claims. Three of their claims were accordingly taken by Missourians, who learned that they were lying vacant, in November of 1854. Some few days after these claims had been entered upon, the absentee Indianian claimants arrived. This led to one of the 'jumped claims' being referred to arbitration—the arbitrators being twelve in number, a majority of whom belonged to the Free State party. It was settled by these in favor of the Missourians. On the strength of this decision, in partnership with John M. Banks, a Free State man, I 'jumped a claim' held by a man named Frasier, a non-resident of Kansas. We notified this person that we had 'jumped his claim,' and as we did not wish to take any undue advantage of him, would give it up if he could show any legal right to the land in question. We afterwards discovered that Frasier had sold this claim to one Jacob Branson, then residing in Missouri but formerly from Indiana. This we learned from Branson himself, who came out forthwith to Hickory Point (I had known Branson while in Kansas City); I remarked to Branson that I had taken the Frasier claim; he replied: 'I have bought that claim from Frasier, and paid him fifty dollars for it, and I intend to have it.' I then said to Branson that the claim in question was forfeited by Frasier's non-compliance with 'the Squatter Laws,' and that I was willing to submit it to arbitration. This he refused, stating that if the laws took a man's claim away he would defend himself and have his claim, or 'die right where he was.' I then closed our interview by telling him that it was not worth our while to talk about it. On the morning following this conversation, Branson came (during my absence) to my house with a wagon-load of household stuff, accompanied by Louis Farley, a Free State man from Indiana—Mr. Banks and a young man named Graves—a Free-soiler—were the only men at my house on the occasion of Branson's visit. Branson and his companion tried to force his property into my dwelling. Banks requested them to let their goods stand until they could send for me; he did so, and I came immediately. Upon entering my house, Branson and Farley being within, I reminded Branson that he had said that 'he would have my claim or die upon it.' I then drew a single-barreled pistol from under the head of the bed and told him that I should defend myself, and if he was determined to settle the matter in that way, I was prepared to do so. Farley then attempted to mediate between us. During this conversation, Branson kept his hand upon an 'Allen's revolver' which he had with him in his pocket, but made no motion to draw the weapon, nor did I threaten him with my pistol, further than to exhibit it as a proof of my intention to protect myself. I cannot remember the precise date of this difficulty; I think it occurred in November, 1854. Branson and myself then agreed to compromise the matter by submitting our difficulties to an arbitration. This was accordingly done, and the arbitrators, twelve in number, and mostly Pro-Slavery men, decided against my partner and myself, insomuch that instead of allowing our claim to the whole Frasier tract, amounting to two hundred and forty acres, they awarded one hundred and sixty acres to Branson as his proportion. Branson then promised,

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told by C. W. Babcock, the postmaster, that he had better not go back home as there had been a meeting that day to investigate the killing of Dow. Also that there were two hundred to three hundred men in arms. On his way home Banks met some twenty or thirty armed men returning to Lawrence.

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in the presence of the arbitrators, to measure off his share. But this he subsequently refused to do. Banks and myself then reminded him of his agreement to submit to the decision of the arbitrators, adding that we desired peace. He said that he did not crave our friendship, and that we should never have a single foot of the lumber which grew upon the greater part of the claim. He then stated that he had measured the entire 'Frasier Claim' with one of his neighbors, and found it to contain but one hundred and twenty acres—called us a set of base thieves, who had swindled him out of his rights, and with whom he wished to have no intercourse, etc. We then parted for our several homes.

Banks, Graves and myself then measured off the claim, allotting to Branson his full proportion (all timber land) of 160 acres, and marking the boundary line which divided our claim. This division was never accepted by Branson. He still claimed the whole tract. Branson then turned his attention to strengthening the Free State party—to which he himself belonged—in the vicinity of Hickory Point. This he did by encouraging Free State men to settle about him, giving them timber from his land, and informing them of vacant claims. In pursuance of this object, he and his friends invited a man named Dow, an Ohioan and Abolitionist, to occupy a claim adjoining my own. This claim rightly belonged to one William White, of Westport, Mo., a Pro-Slavery man, who had made some improvements on it, and therefore held it under the 'Squatter Laws.' The 'improvement' was a log-cabin, which was burnt down by the Free-State party, on or about the day of Dow's arrival at Hickory Point. Dow then entered upon White's claim and commenced building. Upon this twelve men of the Pro-Slavery party at Hickory Point, I being one of their number, waited upon Dow, to inquire into the 'jumping' of White's claim, and the burning of his house. We accused Dow of being accessory to the act. He asserted his innocence as regarded the destruction of White's cabin. Upon being asked if he was not aware of the intention of the Free State people to destroy it, he answered that that was his business, and none of ours. I then observed to him that as my claim adjoined his I would be his nearest neighbor, and should be very sorry to suspect that the man who lived next to me could be guilty of such an act, but as he had affirmed his innocence, as regarded the burning of White's house, I would (if it proved to be true) be a kind neighbor to him, and added that he was welcome to visit at my house if he wished to come. He thanked me, and we parted. These occurrences took place during the winter of 1854 and '55, and from this date up to the very day on which I killed Dow I met him on several occasions, and always in a friendly manner, although I had at various times heard of his threatening me.

In July or August of 1855 a branch of the Kansas Free State secret military organization was established among the Free State settlers around Hickory Point. Branson being their commander. Not long after this, I learned that he had not only threatened to use this force to put down and set at defiance the Territorial laws, but had stated, on several occasions, that he had an old grudge to settle with me—that he would like to meet me—that I should not live in the Territory, but that

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The day of the burial of Dow, Saturday, the 24th, a large number assembled for the funeral. There was much indignation, and it was determined that Coleman should be apprehended and punished. A meeting was appointed for the next Monday, the 26th, at the house of Jacob Branson. The people met at Branson's as agreed, but immedi-

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he would have his revenge before I quitted it, etc. It was also reported to me, some four days previous to my recounter with Dow, that he (Dow) had declared that 'he would beat my d—d brains out if I went into the grove'—on my own claim—'to cut timber.' I was also warned by a Free State man, a friend of mine named Spar, 'that my life was in danger from the ill will harbored against me by Branson and Dow.'

On or about the 27th of November, 1855, between 11 and 12 o'clock A. M., I was at work making a lime-kiln, on my claim, in company with a young man named Harvey Moody.—Moody is a Free State man. I had been busy there since early in the morning, as I had been for several days previous. Dow came to the place where we were working; he was alone, and apparently unarmed. He quarrelled with me about my claim—said he intended to stop our working there, and after making several threats left. I continued on with my work. In a short time after this visit from Dow, Moody called out to me, 'Here comes Branson and Dow.' On looking up I saw them approaching, armed with Sharpe's rifles. Both Moody and myself were entirely unarmed. I immediately left my claim without waiting for them to come up, for it was my belief that they intended to kill me, and were coming upon me with arms in their hands for that purpose. Moody, being a Free State man, remained a Pro-Slavery man, whose claim bordered upon my own, informed him at his work. Moody has since informed me that on coming up they ordered him from the claim, stating that they would not hurt him 'this time,' but if they caught him there again they would do him an injury; they furthermore said that they 'just wanted to see me, and asked Moody were I was, to which he replied that 'I had gone home.' Upon hearing this, Dow took his gun and followed me. Moody states it as his belief that they would have killed me if I had stayed for their coming. From my claim I went immediately to the house of Mr. Hargis, of my being ordered off, and begged him, as I did not wish to trespass upon my neighbors, to come to my house that afternoon and assist me in establishing the dividing lines between his (Hargis) and my claim; this he promised to do. I then armed myself with a double-barrelled fowling-piece, loaded with buck-shot, intending upon going back to my work, to defend myself if again interfered with, and returned to Hargis's house, who had promised to accompany me, as stated above, that afternoon, with Buckley, a Pro-Slavery man, and one or two others, to assist in establishing the lines between Hargis and myself. Upon reaching Hargis's house, Buckley said that he was going to a whiskey-store which stands opposite a blacksmith's shop on the Santa Fe trail, and which was half a mile distant from Hargis's. Buckley desired us not to wait for him, as he would meet us at my house, and left accordingly. Finding that my friends were detained longer than I had anticipated, I concluded to go out and see if I could discover anything of Buckley. In doing so I passed by the house of William McKinney; here I found McKinney engaged in building a chimney, and stopped to talk with him for a short time. Not seeing anything of Buckley, I started for home, and had continued on for a hundred and fifty yards, or thereabout, when I entered the Santa Fe trail; as I did so, I came *most unexpectedly* upon Dow, who was walking along the road, in the

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ately adjourned to the place where Dow had been murdered. There they assembled in a circle about the bloody spot where Dow had fallen and died. There were at least one hundred present. Feeling ran high, and violent speeches were made. Resolutions were passed denouncing the murder and condoling with the relatives of Dow, as follows:

Whereas, Charles W. Dow, a citizen of this place, was murdered on Wednesday afternoon last, and whereas, evidence, by admission and otherwise, fastens the guilt of said murder on one F. M. Coleman, and whereas, facts further indicate that said individuals and parties are combining for the purpose of harassing and even murdering unoffending citizens, and whereas, we are now destitute of law, even for the punishment of crime, in this Territory, and whereas, the aforesaid individuals have fled to Missouri, therefore—

Resolved, That we deeply sympathize with the family and relations of the deceased.

Resolved, That we regard F. M. Coleman, and those connected with him, as wilful murderers, who should be treated as such by all good citizens.

Resolved, That we are ready to stand by and defend any and all of our fellow-citizens, in protecting their lives and property; and consider it our duty to spare neither time nor expense in ferreting out, and bringing to condign punishment, all connected with this infamous crime.

Resolved, That a vigilance committee of twenty-five be appointed,

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same direction as that in which I was going. On approaching him, he turned his head, and waited for me to come up. He was unarmed, with the exception of a wagon-skien—a piece of iron some two feet in length, and a most dangerous weapon in the hands of so powerful and determined a man as Dow is represented to have been.—Dow then entered into conversation with me about the claim difficulty, and continued to use hard language upon this subject until we had walked together as far as my house, which stands off the Santa Fe road about 75 yards. We must have gone side by side for some 400 or 500 yards. During this conversation I urged him to compromise the matter, as I did not wish to have any trouble with neighbors. When we got opposite to my dwelling, I moved off the road to go towards home. Dow walked on his way for a few paces, and then turned round and re-commenced quarrelling, high words passed, and Dow advanced upon me with the wagon-skien, which he was carrying in his hand, raising it as he did so, in an attitude to strike. I levelled my gun as he came on, brought it to bear upon him, and pulled the trigger; the cap exploded but not the charge. Dow then paused, and turned as if to go away. Seeing this, I put my gun down upon the ground, which Dow had no sooner perceived than he faced towards me, and again advanced upon me with the skein, at the same time crying out, with an oath, 'You've bursted one cap at me, and you'll never live to burst another;' hearing this, and believing that my life was in danger, I again levelled my gun and fired upon him as he came rushing on; the shot struck him (as I have since ascertained) in the neck and breast, and he fell—dead.

I did not go up to the body, but went immediately to my house and told my wife that I had killed Dow; that I had been forced into it, having no other alternative to save my own life. I told her not to be uneasy about me; that I was going to surrender myself up to be tried,

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whose duty it shall be to bring the above-named individuals, as well as those connected with them in this affair, to justice.

Resolved, That we stamp with disapprobation, the actions of those persons, who knowingly permitted the body of the deceased to lay by the roadside, without giving information in regard to it.

A committee was appointed "to ferret out and bring the murderers and accomplices to condign punishment." It was proposed to go at once and burn Coleman's house. Two men burst in the doors and fired the house, but the others put out the fire. Some witnesses were examined but nothing new was ascertained as to the whereabouts of Coleman and Buckley. The meeting adjourned late in the afternoon, and those from Lawrence returned to that town. Sometime in the night members of the meeting re-assembled and burned Coleman's house, and just before daylight the next morning they burned Buckley's house.

Samuel F. Tappan and S. N. Wood of Lawrence, and J. B. Abbott on the Wakarusa had attended the meeting and taken an active interest. Wood had been in that vicinity before and his course had been such as to inflame the Pro-Slavery settlers. It was at the time when Mr. Farley was having trouble. Wood said, in substance, "that if he was a nigger he would not serve his master an hour after he came into the Territory; that it was a free country and niggers were free the moment they were fetched there." Horatio Owens, to whom he was talking, "told him if he

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and had no fears for the consequences, as my conscience acquitted me of any blame, I having acted only in self defence.

Though I was not at the time aware of it, this transaction was seen by my friends Hargis and Moody, and also by a man named Wagoner, a Missourian, who happened to be in their company at the time. Wagoner is an enemy of mine. They were then on their way to 'kill a beef' in the timber not very far from my house, at which Hargis and Moody intended (as before stated) to stop, as they passed, and assist Buckley and myself in running the lines between my claim and that of Hargis in accordance with my request.

In the evening several persons came to my house, and advised me, for fear of the Free State secret military organization—of which, as I have before mentioned, Branson, Dow's friend, was one of the commanders—to leave the neighborhood. I at first declined to go, stating, as a reason for so doing, that such an act might be construed into a desire on my part to elude the officers of justice. They then suggested that I should deliver myself up to Governor Shannon, or some other fit person, at a distance from the scene of difficulty, where they believed that I would not only be in great personal danger, but have no chance to obtain an impartial hearing. I finally yielded to their entreaties, and left that night for Shawnee Mission, Governor Shannon's residence, which I reached upon the ensuing day, and immediately—in the temporary absence of the governor—delivered myself up to S. J. Jones, the sheriff of Douglas County (in which the killing took place), who happened to be in the vicinity of the Mission at the time of my arrival. Upon the return of Governor Shannon, His Excellency directed Sheriff Jones to convey me in custody to Lecompton, the county seat of Douglas, which he did. On my arrival there I was discharged upon giving bail to the amount of five hundred dollars, and am now only awaiting the assembling of a court to stand my trial.

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was a nigger and belonged to him and attempted to cut up any shines, he would whip him and make him behave himself." Wood's wife then begged him not to say anything more and to not cause a disturbance.

The Rescue of Branson

Hearing that Branson was the leader of the party searching for Coleman, and having gone with Coleman to the Shawnee Mission, Buckley was afraid to return to Hickory Point without protection. He

Col. Samuel N. Wood

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appealed to Sheriff Jones. As Branson was the Free-State leader, he was to be held responsible, and Buckley desired his arrest. It was necessary to secure a warrant in Douglas County. Sheriff Jones had a commission for Justice of the Peace signed in blank, which he carried with him, on Monday, when he and Buckley visited Douglas County. Hugh Cameron, later known as the Kansas Hermit, consented to act as Justice of the Peace in this matter, and his name was inserted in the blank commission carried by Jones. After this "appointment" Buckley made an affidavit charging Branson with having threatened his life,

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and upon this affidavit Cameron issued a warrant for the arrest of Branson.

Branson had gone home Monday night and retired shortly after 7 o'clock. His wife woke him up in a short time and informed him that there were a good many persons coming toward the house. By the time Branson had raised himself up in bed, there was a rap at the door. He demanded to know who was there. Some one replied, "Friends." Before he could tell them to come in, the door was broken down and the room filled with men. One of these men asked him if his name was Branson, and he replied that it was. He then drew his pistol, cocked it, and presented it at Branson's breast and said, "You are my prisoner, and if you move I will blow you through; don't you move." Others cocked their guns. They finally permitted Branson to dress himself, when they took him from his house and mounted him on a mule, which they said Mr. Coleman had been riding around. The party then went to the house of Buckley, which had not yet been burned, where they secured another horse. Jones then took his prisoner over to the house of Mr. Freeland. There they imbibed a jug of whiskey. The party then set out for Lecompton.

In October, 1854, a very peculiar man settled on the Wakarusa, south of Lawrence, where the old Fremont Trail crossed the stream. His name was Napoleon Bonaparte Blanton. By the squatters he was called "Bony" Blanton. He was of French extraction, and he had little to say. He came from Missouri, but he was not a Pro-Slavery man; neither did he act with the Free-State men. He kept his own counsel. And he must have had some means. By the middle of March, 1855, he had erected a comfortable hewed-log house, having stone chimneys, after the Southern style. He also had a substantial bridge over the Wakarusa, well under way, and this he finished early in the summer of 1855. It was a toll bridge, and the only one across the Wakarusa. It became widely known and was well patronized. In the summer of 1855, Blanton also erected a store building, and engaged in the grocery business, possibly selling whiskey also. His house was a sort of country hotel where many people stopped.

About three-quarters of a mile south of Blanton's bridge, on what fell to be the southwest quarter of Section 19, Township 13, Range 19, of the public survey, lived James B. Abbott, who came to Kansas in 1854 from New York City. He lived on the east side of the trail or road from Hickory Point to Lawrence. His residence was a box house, twelve by fourteen feet square, with a door in the east side and a small window in the west side. The house was built of native undressed lumber, and Mr. Abbott had not yet had time to nail battens over the joints. In this house lived Major Abbott with his wife and little daughter. On Monday, November 26, Abbott had gone to the meeting at the house of Branson to investigate the murder of Dow, and did not return until late. Soon after night had fallen, Blanton appeared at the house of Abbott and reported that Sheriff Jones had been at his place about noon that day. He was accompanied by a body of men, all well armed with double-barreled shotguns, revolvers and knives. They had

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come from the direction of Franklin, the Pro-Slavery town midway between Lawrence and the Blue-Jacket crossing on the Wakarusa. They remained at Blanton's until it began to grow dark, when they left, going south, which was in the direction of Hickory Point. Blanton inquired if the party had passed the Abbott residence, and upon being assured they had not, he seemed puzzled, but said they must have gone toward Blue Mound after striking the high prairie.

Sheriff Jones had a redoubtable resident deputy, one Sam Salters, with whom Blanton had been acquainted in Missouri. In confidence he told Blanton that the party intended to arrest Branson, and Blanton, knowing all that had transpired at Hickory Point, believed they intended to kill him. Blanton went home after requesting that it be not told abroad that he had given this information.

He had been gone but a few minutes when a Mr. Allen and Mr. Hughes, who had also been attending the Dow meeting, arrived at Abbott's house. When told what Blanton had said they were sure there was some mistake about the matter, as they had just come from Hickory Point and had neither seen nor heard of Jones, nor had they met any one going that way. Very soon S. F. Tappan and S. C. Smith, of Lawrence, arrived. Upon being informed of what Blanton had said, they concluded that as Branson was a witness against Coleman, that it was their intention to murder him in the interest of Coleman. Mr. Abbott and S. N. Wood came in soon afterward. After discussing the developments, it was determined that Allen and Hughes should go into what was called the Illinois settlement and assemble as many men as possible. Wood and Abbott went back to Hickory Point to search for Jones and his party. They were well armed, part of their equipment being large knives. It was their intention to slip quietly up and "hamstring" the horses of Jones' party, if they found it possible to do so.

The men to be rallied by Allen and Hughes were to meet at the house of William Estabrook, and Smith and Tappan left Abbott's house and went there. The men at Estabrook's were to go to the house of Abbott as soon as the strength of the neighborhood had assembled. Blanton's bridge was guarded and the three fords between the bridge and Franklin were picketed.

It was about eleven o'clock when Wood and Abbott returned. They were much disappointed. They had gone back to Branson's house, some six miles, only to find Branson gone and his wife in frantic distress. She described the manner in which Branson had been arrested. How Jones had disappeared was a mystery. They were encouraged, however, to find so many of the settlers assembled at Abbott's house ready to do what they could to save Branson.

The moon was a little past the full, and while the first part of the night had been very dark, it was as light as day when the moon rose in the heavens. The air was clear, and there was no wind. Charles H. Dickson and J. R. Kennedy were on guard on the Hickory Point road. Dickson was lying flat on the ground scanning the road and surrounding prairie, when he observed moving objects about two-thirds of a mile away. As

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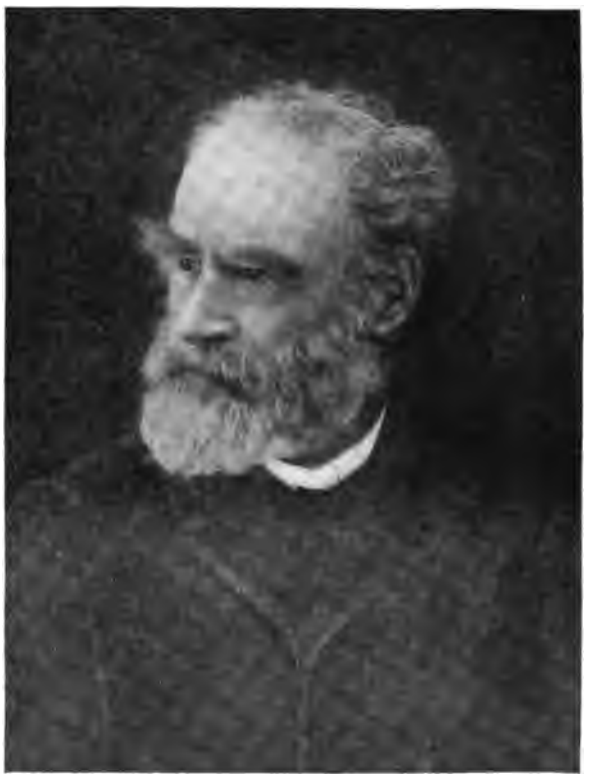
they came nearer it was plain that they were a body of men. Dickson and Kennedy ran at full speed to Abbott's house and gave the alarm. The delay of Jones had been caused, as we have seen, by his leading his men to a Pro-Slavery house to get whiskey. They had remained there drinking until the moon was high.

The men at Abbott's house rushed out upon receipt of the intelligence that Jones was approaching. They stood in the shadow of the house until Jones and his company were near, then they formed themselves across the



JAMES B. ABBOT

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road. Philip Hupp was the first man to cross. The next was Paul Jones, and they were armed with squirrel rifles. Captain Philip Hutchinson followed, armed with a handful of heavy stones. Kennedy and Dickson followed Hutchinson. The Jones party rode up, halted, and some one of their number asked "What's up?" To this Major Abbott replied, "That is what we want to know," and fired his revolver. Again the question from Jones' party, "What's up?" Kennedy told Abbott to inquire if Branson were there. Branson said that he was, and that he was a prisoner. A number of the Free-State party called out for Branson to "come out of that." This Branson feared to do, saying

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"They will shoot me if I do." S. N. Wood, said, "Let them shoot and be d——d. We can shoot too." This encouraged Branson and he said, "I will come if they do shoot," and he rode over to the Free-State side. When Branson started, the Pro-Slavery men cocked their guns and raised them to their shoulders. The Free-State men did the same. When Branson came over, he dismounted, and Wood inquired if that was his mule. Branson said it was not. Wood then gave the mule a kick and said "Go back to your master, d——n you."

At this point Jones advanced and said that he was the Sheriff of Douglas County, with a warrant for the arrest of Branson, and must serve it. The Free-State men said they knew of no such man as Sheriff Jones; that they knew a postmaster at Westport, Missouri, by that name. Wood said he was Branson's Attorney, and if Jones had a warrant, he should like to examine it. Jones refused to show the warrant. The parties stood facing each other about an hour, when Jones, seeing that nothing could be accomplished, and that his prisoner was irretrievably lost, turned his company about and bade the Free-State men good-night.

The rescue of Branson was planned by Elmore Allen, Joshua Hughes, Samuel F. Tappan, Samuel C. Smith, Samuel N. Wood, James B. Abbott, Mrs. Abbott and Charles H. Dickson. Those who responded to the alarm and became members of the rescue party were Rev. Julius Elliott, Collins Holloway, John R. Kennedy, Captain Philip Hutchinson, Philip Hupp, Minor B. Hupp, Edmond Curless, Paul Jones, John Smith, B. Hitchcock, Isaac Shaffer, Ad. Rowley, Harrison Nichols and L. L. Eastabrook.

The rescuing party decided to take Branson to Lawrence. This they did in military style. Abbott owned a drum, sword and other military trappings. He was the only drummer in the party. Wood was decorated with the sword and given command of the company, which entered Lawrence about daylight and marched up Massachusetts street to the stirring tattoo of the drum, stopping in front of the residence of Charles Robinson. They reported what they had done and asked counsel. Robinson discouraged them, saying that it was their own matter; that they should not have come to Lawrence; and that he did not want the town involved in their transactions. He also said that they should not expect Lawrence, or any citizen in it, to have anything to do with their plans. They left Robinson's house and continued to parade the streets. Gathering a crowd of citizens in a meeting, they considered the situation. Wood was made President of this meeting and recited the story of what had occurred at Hickory Point and at the house of Abbott. Branson was called on. He went over the story of Hickory Point with tears coursing down his face, ending with an allusion to his wife alone in her cabin and himself without knowledge of her fate. He declared that he would leave the town if the citizens thought it best for him to do so, as he did not wish the residents to suffer the consequences of what had happened at Hickory Point and Abbott's house. Nobody acted on his suggestion, and the meeting proceeded. It was certain that Jones would make an effort to secure his prisoner. It was also believed that he would hold the town of Lawrence responsible for the rescue, and perhaps attack it, as it was

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said that he had made threats to destroy Lawrence. A resolution endorsing the course of the rescuing party was offered but unanimously rejected. It was the sentiment of the meeting that no action should be taken on the rescue. It is said that this course was adopted at the suggestion of Robinson. A committee of ten was finally appointed to take into consideration the entire matter and report at an adjourned meeting to be held in the afternoon. The whole proceeding has not been preserved; that portion of the utterance of the meeting on record being as follows:

We, the citizens of Kansas Territory, find ourselves in a condition of confusion and defencelessness so great, that open outrage and mid-day murders are becoming the rule, and quiet and security the exception. And, whereas, the law, the only authoritative engine to correct and regulate the excesses and wrongs of society, has never yet been extended to our Territory—thus leaving us with no fixed or definite rules of action, or source of redress—we are reduced to the necessity of organizing ourselves together on the basis of first principles, and providing for the common defense and general security. And here we pledge ourselves to the resistance of lawlessness and outrage at all times, when required by the officers who may from time to time be chosen to superintend the movements of the organization.

A paper or compact was presented to each member at the adjourned meeting for his signature. It was recommended that the citizens so organized should hold themselves apart from any other organization, that they might be ready to defend the town and not be involved in any demonstrations that might be made. The committee of safety (of ten) was continued.

The Border-Ruffians

After he had lost his prisoner to the rescuers at Abbott's house, Sheriff Jones went to the town of Franklin. Most of his *posse* lived in and about that town. When it was told abroad that the Free-State men had rescued Branson, there was considerable excitement among the Pro-Slavery settlers there. A Mr. Wallace was engaged in mercantile business in Franklin and had been one of the posse. While away from his store he had employed L. A. Prather to remain in charge. Prather went to the store the morning after the rescue. He found Mr. Wallace there. They went together to the hotel. To Prather, Wallace said that Jones intended to send to Missouri for aid. In the hotel lobby, or common room, which was crowded with men, they found Mr. Jones writing. Wallace remarked to Prather, "Mr. Jones is now writing a despatch to send to Colonel Boone." Boone lived at Westport. Prather inquired why the despatch was not sent to Governor Shannon. His question was in a voice loud enough to be heard by Jones, who gave it no attention. When Jones had completed his letter, he went to the door and gave it to either Coleman, Hargis or Buckley. Mr. Prather heard the messenger called by all these names, but not having any personal acquaintance with the gentlemen, he could not say which one carried

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the letter to Colonel Boone. As he started away with the despatch, Jones said, "That man is taking my despatch to Missouri, and by God, I will have revenge before I see Missouri." About an hour later, Jones sent another despatch, and Mr. Wallace informed Prather that it was directed to Governor Shannon, requesting him to raise the militia for aid. Mr. Wallace also said that the messenger to Governor Shannon was Josiah Hargis. The despatch to Governor Shannon was as follows:

Sheriff Jones to Governor Shannon

DOUGLAS COUNTY, K. T., Nov. 27, 1855.

Sir:

Last night I, with a *posse* of ten men, arrested one Jacob Bransom by virtue of a peace-warrant regularly issued, who, on our return was rescued by a party of forty armed men, who rushed upon us suddenly from behind a house upon the road-side, all armed to the teeth with Sharpe's rifles.

You may consider an open rebellion as having already commenced, and I call upon you for *three thousand* men to carry out the laws. Mr. Hargis (the bearer of the letter), will give you more particularly the circumstances.

Most Respectfully,
SAMUEL J. JONES,
Sheriff of Douglas County.

To His Excellency,
WILSON SHANNON,
Governor of Kansas Territory.

What Sheriff Jones intended to do was then known only to himself. The only expression of his intentions being found in his general remark—"That man is taking my despatch to Missouri, and by God, I will have revenge before I see Missouri." The fact that he had called for three thousand men with which to carry out the law, very clearly indicates that the rescue of Branson had been seized upon by him as a pretext to make indiscriminate war on the Free-State settlers of Kansas Territory. Governor Shannon made no investigation for himself as to the conditions prevailing at Lawrence, Hickory Point, or any other place in the Territory. In seeking to justify himself, later, he referred to the Platform and Resolutions of the Free-State party at the Big Springs Convention. In his statement he says:

I therefore deemed it incumbent upon me, as the chief executive of Kansas Territory, to enforce the laws and protect the sheriff, and his prisoner Coleman, from the violence and rescue which had been threatened and in part carried out by this mob, for I firmly believed (being in possession of the facts), that the overt acts just committed by the Free State party were but the commencement of a settled plan and determination to resist and bid defiance to the Territorial laws, in accordance with the resolutions already quoted.

It will be noted that the Governor expressed the belief, "that the overt acts just committed by the Free-State party, were but the commencement of settled plan and determination to resist and bid defiance

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to the Territorial laws. . . ." The Governor issued an order to Major General William P. Richardson, of Doniphan County, which he forwarded by special messenger, as follows:

HEAD QUARTERS, SHAWNEE MISSION, K. T.,
Nov. 27, 1855.

MAJOR-GENERAL WILLIAM P. RICHARDSON.

Sir: Reliable information has reached me that an armed military force is now in Lawrence, or in that vicinity, in open rebellion against the laws of this Territory; and that they have determined that no process in the hands of the sheriff of that county shall be executed. I have received a letter from S. J. Jones, the sheriff of Douglas County, informing me that he had arrested a man under a warrant placed in his hands; and while conveying him to Lecompton, he was met by an armed force of some forty men, who rescued the prisoner from his custody, and bid open defiance to the law. I am also duly informed that a band of armed men have burned a number of houses, destroyed personal property, and turned whole families out of doors. This has occurred in Douglas County; warrants will be issued against these men and placed in the hands of Mr. Jones, the sheriff of that county, for execution; who has written to me, demanding three thousand men to aid him in preserving the peace and carrying out the process of the law.

You are hereby ordered to collect together as large a force as you can in your division, and to repair without delay to Lecompton, and report yourself to S. J. Jones, Sheriff of Douglas County. You will inform him of the number of men under your control, and render him all the assistance in your power, should he require your aid in the execution of any legal process in his hands.

The forces under your command are to be used for the sole purpose of aiding the sheriff in executing the law, and for none other.

I have the honor to be,
Your obt. servt.,
WILSON SHANNON.

The Governor also issued the following order to General H. J. Strickler, of Tecumseh, Shawnee County:

HEAD QUARTERS, SHAWNEE MISSION, K. T., Nov. 27th, 1855.

GEN. H. J. STRICKLER:

Sir: I am this moment advised by letter from S. J. Jones, sheriff of Douglas County, that while conveying a prisoner to Lecompton, whom he had arrested by virtue of a peace-warrant, he was met by a band of armed men, who took said prisoner forcibly out of his possession, and bid open defiance to the execution of law in this Territory. He has demanded of me three thousand men to aid him in carrying out the legal process in his hands. As the Southern Division of the Militia of this Territory is not yet organized, I can only *request* you to collect together as large a force as you can, and at as early a day as practicable, and report yourself, with the men you may raise, to S. J. Jones, Sheriff of Douglas County, to whom you will give every assistance in your power towards the execution of the legal process in his hands. Whatever forces you may bring to his aid are to be used *for the sole purpose of aiding the said sheriff in the execution of the law, and none other.*

It is expected that every good citizen will aid and assist the lawful authorities in the execution of the laws of the Territory and the preservation of good order.

Your obt. servt.,
WILSON SHANNON.

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Governor Shannon later said that he presumed the forces of General Richardson and General Strickler would be drawn from the citizens of Kansas Territory subject to military duty, and that it had never for a moment occurred to him that the citizens of Missouri would cross into Kansas and volunteer their aid to carry out her laws.

The Missourians were quick to respond to the call of Sheriff Jones, and it is necessary to note that Sheriff Jones had ignored Governor Shannon in the beginning and made his appeal directly to the people of Missouri. The call on Governor Shannon was a secondary matter. It was the intention to proceed against the Free-State men whether that action was approved by Governor Shannon or not. In his statement, justifying the action of the Missourians, Governor Shannon said:

The men of Missouri heard that the Territorial laws were set at defiance; that the sheriff of the county—a Virginian, well known and highly esteemed, and, moreover, a strong Pro-Slavery man—was actually threatened with death by an armed Abolition mob; they heard, too (for when did rumor ever lose strength as it flies?) that these outlaws were fortifying themselves, drilling day by day, were sending to distant States for men, were amply supplied with the most deadly weapons which modern skill has devised, and even provided with artillery. They knew, too, that this was no disturbance born of a transient excitement, and nurtured by the passions of an hour. On the contrary, it was understood to be a cold-blooded, long-foreseen, and carefully prepared-for thing. And what was the most natural result? The gathering in the camp at Wakarusa may best answer the question. Missouri sent, not only her young men, but her grey-headed citizens were there; the man of seventy winters stood shoulder to shoulder with the youth of sixteen. There were volunteers in that camp who brought with them not only their sons, but their grandsons, to join, if need be, in the expected fray. Every hour added to the excitement, and brought new fuel to the flame. What wonder, then, that my position was an embarrassing one! Those men came to the Wakarusa camp to fight; they did not ask peace: it was war—war to the knife. They would come; it was impossible to prevent them.

L. J. Eastin, at Leavenworth, wrote Governor Shannon the following letter:

LEAVENWORTH, K. T., Nov. 30th, 1855.

GOVERNOR SHANNON:

Information has been received here direct from Lawrence, which I consider reliable, that the outlaws of Douglas County are well fortified at Lawrence with cannon and Sharpe's rifles, and number *at least* one thousand men. It will, therefore, be difficult to dispossess them.

The militia in this portion of the State are entirely unorganized, and mostly without arms.

I suggest the propriety of calling upon the military at Fort Leavenworth. If you have the power to call out the Government troops, I think it would be best to do so at once. It might overawe these outlaws and prevent bloodshed.

(Signed) L. J. EASTIN,
Brig. General, Northern Brigade, K. M.

Governor Shannon, without making any further inquiry, proceeded to call upon the military forces of the United States. He despatched a

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message to Colonel Sumner, First Cavalry, U. S. A., at Fort Leavenworth, requesting him to hold himself in readiness to move promptly in case he should receive instructions to do so from Washington. To that message Colonel Sumner replied as follows:

HEAD QUARTERS, 1ST CAVALRY, FORT LEAVENWORTH,
DECEMBER 1st, 1855.

GOVERNOR:

I have just received your letter of this day. I do not feel that it would be right in me to act in this important matter until orders are received from the government. I shall be ready to move instantly whenever I receive them. I would respectfully suggest that you make your application for aid to the government extensively known at once, and I would countermand any orders that may have been given for the movement of the militia until you receive the answer. I write this in haste.

With much respect, your obt. servt.,
(Signed) E. V. SUMNER,
Col. First Cavalry.

His excellency,
GOVERNOR SHANNON.

Upon receipt of the communication of Colonel Sumner, Governor Shannon wrote to both General Richardson and Sheriff Jones, the communication to Richardson being here set out.

EXECUTIVE OFFICE, SHAWNEE MISSION, K. T., DECEMBER 2d, 1855.

My Dear Sir:

I have written a letter to Sheriff Jones, informing him of what I have done, and putting him in possession of the fact that I am in constant expectation of receiving authority from Washington to call out the regular troops at Fort Leavenworth. I have notified Colonel Sumner of this, and am in receipt of his reply, assuring me that he will be ready at any moment to move with the whole force at his command, so soon as the orders are received from the General Government. These orders are confidently expected in a day or two. I am desirous to employ the United States forces, as it would have a most salutary effect upon these lawless men hereafter; for when they find that the regular troops can be used to preserve the peace and execute the law in this Territory, they will not be so ready to place themselves in a hostile attitude. In the meanwhile you will remain with Sheriff Jones, and retain a sufficient force with you to protect that officer, and secure the safety of his prisoner; the remainder of your men will be kept at a distance, but be held in readiness to give their services whenever they may be required to act. You will be careful in preserving order, and in restraining your people from any illegal act. *Let everything that is done, be for the preservation of law and order.* Your duties are to protect the Sheriff, and enable him to serve the legal process in his hands; when these objects are accomplished, your command will retire.

I shall accompany Colonel Sumner with the United States forces, when they move. Yours, with great respect,

WILSON SHANNON.

The instructions from Governor Shannon to Sheriff Jones were more explicit, as is shown by the communication itself.

EXECUTIVE OFFICE, SHAWNEE MISSION, K. T., DECEMBER 2d, 1855.

Sir:

I am in receipt of Colonel Sumner's reply to my dispatch, in which he informs me that he will be ready at a moment's warning to move

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with his whole force, if desired, on the arrival of his orders from Washington. My telegraphic dispatch to the President must have reached its destination by this time, and an answer should soon come to hand. I have no doubt but that the authority which I have requested —to call upon the United States troops—will be granted. Under these circumstances, you will wait until I can obtain the desired orders before attempting to execute your writs. This will save any effusion of blood, and may have a moral influence hereafter, which would prevent any farther resistance to the law; for when these lawless men find that the forces of the United States can be used to preserve order, they will not be so ready to adopt an opposing course. And if necessary, steps will be taken to station an adequate force in the disturbed district to protect the people against mob violence, and to secure the fulfillment of the laws.

You will retain a sufficient force to protect yourself and guard your prisoner; anything beyond this had better remain at a distance, until it can be ascertained whether their aid will or will not be needed. The known deficiency in arms, and all the accoutrements of war which must necessarily characterize the law-abiding citizens, who have rushed to your assistance in the maintenance of order, will invite resistance from your opponents, who are well supplied with arms; it would be wrong, therefore, to place your men in a position where their lives would be endangered, when we shall in all probability have an ample force from Fort Leavenworth in a few days.

Show this letter to Major-General Richardson, and also to General Eastin, who, as I am advised, have gone to your aid. Their destination is Lecompton, but they will join you wherever you are. Their forces are but small, and may be required for your protection until advices are received from Washington.

I send you, with this, a communication to General Richardson, which you will please deliver to him at as early a day as practicable. As I refer him to this my letter to you, for my views, you will permit him to read it. Let me know what number of warrants you have, and the names of the defendants. I shall probably accompany Col. Sumner's command. Yours, with great respect,

WILSON SHANNON.

SHERIFF JONES, *Lecompton*.

The attitude of the Governor was displeasing to Sheriff Jones. He immediately informed the Governor that prompt action was necessary. He feared the melting away of his Missouri forces. It was his desire to have the matter come to an issue while the Border-Ruffians were armed and in the Territory, so he wrote Governor Shannon the following letter:

CAMP, AT WAKARUSA, DEC. 4th, 1855.

HIS EXCELLENCY, GOVERNOR WILSON SHANNON:

Sir: In reply to your communication of yesterday I have to inform you that the volunteer forces, now at this place and at Lecompton, are getting weary of inaction. They will not, I presume, remain but a very short time longer, unless a demand for the prisoner is made. I think I shall have a sufficient force to protect me by to-morrow morning. The force at Lawrence is not half so strong as reported; I have this from a reliable source. If I am to wait for the Government troops, more than two-thirds of the men now here will go away, very much dissatisfied. They are leaving hourly as it is. I do not, by any means, wish to violate your orders, but I really believe that if I have a sufficient force, it would be better to make the demand.

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It is reported that the people of Lawrence have run off those offenders from that town, and, indeed, it is said that they are now all out of the way. I have writs for sixteen persons, who were with the party that rescued my prisoner. S. N. Wood, P. R. Brooks, and Saml. Tappan are of Lawrence, the balance from the country round. Warrants will be placed in my hands to-day for the arrest of G. W. Brown, and probably others in Lecompton. They say that they are willing to obey the laws, but no confidence can be placed in any statements they may make.

No evidence sufficient to cause a warrant to issue has as yet been brought against those lawless men who fired the houses.

I would give you the names of the defendants, but the writs are in my office at Lecompton. Most respectfully yours,

SAML. J. JONES,
Sheriff of Douglas Co.

General Richardson also wrote to Governor Shannon giving him information as to what was taking place in the vicinity of Lawrence, as follows:

LECOMPTON, K. T., DEC. 3d, 1855, 12 O'CLOCK, P. M.

HIS EXCELLENCY, GOVERNOR WILSON SHANNON:

Dear Sir: I believe it to be essential to the peace and tranquillity of the Territory that the outlaws at Lawrence and elsewhere should be required to surrender their Sharpe's rifles. There can be no security for the future safety of the lives and property of law-abiding citizens unless these unprincipled men are (at least) deprived of the arms, which, as we all know, have been furnished them for the purpose of resisting the law—in fact, peaceable citizens will be obliged to leave the Territory, unless those who are now threatening them are compelled to surrender their rifles, and artillery, if they have any.

I do not, however, feel authorized from the instructions which you have given me, to make this demand. Should you concur with me in my opinion, please let me know by express at once.

A fresh rider had better be sent up in lieu of the bearer of this, as he will be fatigued. I am diligently using every possible precaution to prevent the effusion of blood and preserve the peace of the Territory. As the Sharpe's rifles may be regarded as private property by some, I can give a receipt for them, stating that they will be returned to their owners at the discretion of the Governor.

Very respectfully your obt. servt.,

WILLIAM P. RICHARDSON,
Major-General, commanding Kansas Territorial Militia.

On the 4th of December, Governor Shannon received a message from President Pierce stating that the Executive would use all the power at his command to preserve order in the Territory, and to enforce the execution of the laws as soon as the War Department could make out the proper orders and transmit them to Fort Leavenworth. Upon receipt of this despatch, Governor Shannon again urged Colonel Sumner to march with his men to the Delaware crossing of the Kansas River, about ten miles above its mouth, where Shannon would be found waiting for him. To this message Colonel Sumner made the following reply:

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HEAD QUARTERS FIRST CAVALRY, DEC. 5th, 1855, 1 o'CLOCK, A. M.

GOVERNOR:

I have just received your letter of yesterday, with the telegraphic despatch from the President. I will march with my regiment in a few hours, and will meet you at the Delaware crossing of the Kansas *this evening.* With high respect, your obedient servant,

(Signed) E. V. SUMNER,
Col. First Cavalry.

His Excellency,
WILSON SHANNON.

Upon reflection Colonel Sumner concluded not to comply with the request of Governor Shannon until he had received instructions from the War Department. Thereupon he wrote the Governor as follows:

HEAD QUARTERS FIRST CAVALRY, FORT LEAVENWORTH.
DEC. 5th, 1855.

GOVERNOR:

On more mature reflection I think it will not be proper for me to move before I receive the orders of the Government. I shall be all ready whenever I get them. This decision will not delay our reaching the scene of the difficulties, for I can move from this place to Lawrence as quickly (or nearly so) as I could from the Delaware crossing, and we could not, of course, go beyond that place without definite orders.

With high respect, your obedient servant,

E. V. SUMNER,
Colonel First Cavalry.

His Excellency,
WILSON SHANNON.

Seeing the assembling of the Border-Ruffians, the people of Lawrence became alarmed and assembled for their own protection. G. P. Lowry and C. W. Babcock worked their way through the hostile lines and reached the Shawnee Mission for a conference with Governor Shannon. Upon their representation of the state of affairs at the mouth of the Wakarusa, the Governor thought best to change his attitude. He went to Westport and enlisted the services of Colonel Boone to aid in controlling the Border-Ruffians. Governor Shannon having secured the service of Colonel Boone, the two set out on the 5th of December for the Border-Ruffian camp, arriving at Wakarusa shortly after midnight. Early in the morning of the 6th, Governor Shannon issued orders to have the commanders of the various bodies of Ruffians beleaguering Lawrence meet him for consultation. At this conference, Governor Shannon found but one person who was willing to have the matter settled peaceably. All the others wished to attack the Free-State men. Many of them wished to destroy Lawrence; some would be satisfied if the Free-State men would surrender their arms and agree to obey the law. The meeting continued until midnight. The Governor had expressed an intention of visiting Lawrence himself on the following day. He was in despair of being able to prevent an assault on the town before he could visit it. In this panic he wrote the following letter to Colonel Sumner, which was to be forwarded by an express rider at day-break·

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WAKARUSA, DECEMBER 6th, 1855.

COL. SUMNER, 1st Cavalry, U. S. A.

Sir: I send you this special dispatch to ask you to come to Lawrence as soon as you possibly can. My object is to secure the citizens of that place, as well as all others, from a warfare which, if once commenced, there is no telling where it will end. I doubt not that you have received orders from Washington, but if you have not, the absolute pressure of this crisis is such as to justify you with the President, and the world, in moving with your force to the scene of difficulties.

It is hard to restrain the men here *(they are beyond my power, or at least soon will be)*, from making an attack upon Lawrence, which, if once made, there is no telling where it may terminate. The presence of a portion of the United States troops at Lawrence would prevent an attack—save bloodshed—and enable us to get matters arranged in a satisfactory way, and at the same time secure the execution of the laws. *It is peace, not war, that we want*, and you have the power to secure peace. Time is precious—fear not but that you will be sustained.

With great respect,

WILSON SHANNON.

N. B.—Be pleased to send me a dispatch.

Colonel Sumner had not yet received any instructions from Washington and declined to move without them, replying to Governor Shannon's letter to the following effect:

HEAD QUARTERS FIRST CAVALRY, FORT LEAVENWORTH, DEC. 7, 1855.

GOVERNOR:

I have received your two letters of the 5th and 6th inst. I regret extremely to disappoint you, but the more I reflect on it the more I am convinced that I ought not to interpose my command between the two hostile parties in this territory until I receive orders from the Government. We know that the whole matter is now in the hands of the Executive, and it is an affair of too much importance for any one to anticipate the action of the Government. I am momentarily expecting to receive orders, and whenever they come I shall move instantly, by night or by day. If you find those people bent on attacking the town, I would respectfully suggest that they might be induced to pause for a time on being told that the orders of the General Government were expected every moment, and that there was no doubt but that these orders, framed from an enlarged view of the whole difficulty, would give general satisfaction, and settle the matter honorably for both parties.

I am, Governor, with much respect, your obedient servant,

E. V. SUMNER,

Colonel 1st Cavalry, Commanding.

HIS EXCELLENCY WILSON SHANNON,

Governor of Kansas.

General Strickler, at 2 P. M. reported to Governor Shannon, that the Border-Ruffians, upon being appraised of the plan to have the military at Fort Leavenworth act as a force to protect Lawrence and hold back the Missourians, had determined to intercept his messenger to Colonel Sumner at Kaw River crossing. The messenger was started immediately and directed to cross the Kansas River at a different ford. As showing the feeling in the Border-Ruffian camps at that time, the following letter of J. C. Anderson to William P. Richardson is given:

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MAJOR GENERAL WILLIAM P. RICHARDSON:

Sir: I have reason to believe from rumors in camp that before tomorrow morning the *black flag* will be hoisted, when nine out of ten will rally round it, and march without orders upon Lawrence. The forces at the Lecompton camp fully understand the plot, and will fight under the same banner.

If Governor Shannon will pledge himself not to allow any United States officer to interfere with the arms belonging to the United States now in their possession, and, in case there is no battle, order the United States forces off at once, and retain the militia, provided any force is retained—all will be well, and all will obey to the end, and commit no depredation upon private property in Lawrence.

I fear a collision between the United States soldiers, and the volunteers, which would be dreadful.

Speedy measures should be taken. Let the men *know at once—to-night*—and I fear that it will even then be *too late to stay the rashness of our people.*

Respectfully your obedt. servt.,
J. C. ANDERSON.

The largest body of the Missouri invaders were stationed in the timber along the Wakarusa, southeast of Franklin. This body threw out pickets as far up the stream as Blanton's bridge. A considerable force held the Blue-Jacket crossing. The encampment of this contingent was known as Camp Wakarusa. The men there came principally from Jackson, Cass, and Lafayette counties, Missouri. They had come over the Westport Road—really the old Oregon Trail. Their local commanders were Shaw, Lucas, Bledsoe, Woodson, and others. Colonel Boone had roused the people of those counties by starting rumors which grew with each recitation of the messengers bearing them. To arouse the Missourians, what was afterwards said to have been a forged letter signed by Daniel Woodson, was circulated. Copies of this letter were found among the Border-Ruffians in Camp Wakarusa, and it was doubtless in evidence at other places.

DEAR GENERAL—The Governor having called out the militia, this is to inform you to order out your division and proceed forthwith to Lecompton. The Governor not having the power, you can call out the Platte County Rifle Company, as our neighbors are always ready to help us. Do not implicate the Governor, whatever you do.

DANIEL WOODSON.

The Ruffians came into Kansas with wagons loaded with supplies. Many were mounted, but some were on foot. There were good citizens among them—plenty of them—but they were in favor of forcing slavery on Kansas. On all other matters they were honorable men—kind husbands, good neighbors, liberal, men of property. There were among them many irresponsible, drunken, low-down, mean men. They robbed dwellings, stole horses and cattle, burned houses, laid waste fields. In Kansas they were subject to the Territorial Militia officers in all general movements, and to Sheriff Jones. The only Kansas troops with this body of Missourians, except a company of Franklin Militia commanded by one Leek, a roving gambler, were of those of Brigadier-General L. J.

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Eastin, from Leavenworth. Quite a number of the Wyandot Indians, as well as some Shawnees and Delawares, had responded to the call. One Ruffian gave an Indian a handful of bullets, saying he wanted a Yankee scalp for each bullet. He then took the Indian's bottle and had it filled with whiskey. It seems that this Indian contingent was not to be relied upon. After the Indian had secured his whiskey, he said to Mr. Prather, "Me no kill Yankee; me want get whisk."

D. R. Atchison led his Platte County Rifles, numbering more than one hundred, into Kansas. He stationed his men on the present site of North Lawrence. Other Border-Ruffians joined his command, and he was at the head of one of the most violent and lawless bands of invaders in the Territory.

Another body of the Ruffians, from the Missouri counties north and east of the Missouri River, numbering seven hundred at its maximum, was stationed at Lecompton. Some of these went later to the town of Douglas, lower down the river. All these were under command of Richardson and Strickler.

But all this horde—more than fifteen hundred men, Missourians, non-residents—were subject to the orders of Sheriff Samuel J. Jones.

The Free-State Men

It was clear that the Border-Ruffians intended to make the rescue of Branson a pretext for an attack on Lawrence. The country was alarmed by messengers sent in all directions to notify the Free-State men of the danger at Lawrence. The Committee of Safety, which had been appointed the morning after the rescue of Branson, was in charge of affairs.

On the 30th it was learned that Border-Ruffians were arriving at Franklin, and that Eastin's Brigade from Leavenworth had arrived there. That there might be no reason for an attack on Lawrence, the committee caused Wood, Branson, Smith and Tappan to leave the town. Their disappearance left no person whatever in Lawrence against whom there was any complaint from Jones.

The forces of the town numbered about two hundred and fifty. The Committee of Safety appointed officers for this militia. Charles Robinson was appointed Commander-in-Chief. Colonel James H. Lane was made second in command. When it became known to the Free-State settlers of the Territory that Missourians were invading Kansas and besieging Lawrence many of them started immediately for that town. Those who had arms carried them. The larger settlements sent companies. Many a Free-State settler shouldered his gun and marched alone to Lawrence. It is of record that companies came from Palmyra, Topeka, Osawatomie, Wakarusa, Bloomington and the settlements along Ottawa Creek.

Lawrence was fortified by the construction of redoubts commanding the approaches to the town. That which was called the citadel was at the intersection of Massachusetts and Pinckney streets. It was of hewn logs, deeply banked with earth, and surrounded with deep trenches.

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Judge J. C. Smith, with the rank of Colonel, was in command of this fortification.

The second redoubt was on Massachusetts Street near Henry Street. It was designed for artillery and was commanded by J. A. Wakefield with the rank of Colonel.

A circular redoubt on an elevation north of Henry Street, between Massachusetts and New Hampshire streets, was commanded by Morris Hunt.

Colonel C. K. Holliday, of Topeka, erected a fortification south of that commanded by Colonel Wakefield. It commanded the approach of the city from the south and southwest.

The Free-State men were drilled constantly and instructed in military tactics. Those who had no arms were detailed to work on the fortifications. In addition to the two hundred Sharps' rifles which had been secured by Abbott and Deitzler, many of the Free-State men were well armed. At the period of greatest strength, Lawrence had a force of at least eight hundred men. The force increased every day. The hesitancy of Jones in attacking Lawrence gave the Free-State men encouragement. They surmised that Jones was not being sustained by the Executive, and they determined to get into communication with Shannon. A letter was written to the Governor and signed by the committee as follows:

To His Excellency, Wilson Shannon, Governor of Kansas Territory:

Sir—As citizens of Kansas Territory, we desire to call your attention to the fact that a large force of armed men from a foreign State have assembled in the vicinity of Lawrence, are now committing depredations upon our citizens, stopping wagons, opening and appropriating their loading, arresting, detaining and threatening travelers upon the public road, and that they claim to do this by your authority. We desire to know if they *do* appear by your authority, and if you will secure the peace and quiet of the community by ordering their instant removal, or compel us to resort to some other means and to higher authority.

SIGNED BY COMMITTEE.

G. P. Lowry and C. W. Babcock were appointed to get this letter through the lines and delivered to Governor Shannon at Shawnee Mission. At one o'clock Thursday morning these envoys left Lawrence to work their way through the enemy lines. They experienced difficulty in passing the Border-Ruffians, but they arrived at the Shawnee Mission about seven o'clock. What occurred at the interview with the Governor is best told by Lowry in his statement to the Investigating Committee:

Governor Shannon said he would answer the letter, and we went out while he was doing so. When we returned, we had a long conversation concerning these affairs. He said there had been sixteen houses burned here by Free-State men, and women and children driven out of doors. We told him we were sorry that he had not taken pains to inquire into the truth of the matter before he had brought this large force into the country, which, perhaps, he could not get out again; and that his information was wholly and entirely false, as nothing of the kind had happened. We told him of what we knew, of our personal knowledge, of men from Missouri being there; and he was not inclined

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to admit, at first, that there was anybody from Missouri there. He made a general argument against the Free-State men, and quoted their resolutions, passed at different meetings, in regard to the Territorial laws. We explained to him that the Territorial laws had nothing to do with this case; that we were getting ready at Lawrence to fight for our lives, and the only question was, whether he would be *particeps criminis* to our murder, or the murder of somebody else, should we be all slaughtered. We explained to him, that the rescue upon which he based his proclamation took place a number of miles from Lawrence; that there were but three persons living in Lawrence who were alleged to have had anything to do with it, and that they had left the town, and were not there at all; that from what we could judge of the intentions of the force at Wakarusa, at Lecompton, and in the country about, from their own declarations, they intended to destroy the town for a thing in which they had had no part or parcel.

We took our individual cases as instances that we had not been present at the rescue; that we did not undertake to have any sympathy with it, or talk about it at all; but that if we were to submit to the force which he had called in, all our throats would be cut together—the innocent and guilty, if there were any guilty. He then denied that these Missourians were here by his authority; that he had anything to do with them, or was responsible for them. He said he had communication with Colonel Sumner, of Fort Leavenworth, and had sent an express for him to meet him that night at Delaware ferry, and go with him to the camp on the Wakarusa. He said he should go to Lawrence and insist upon the people agreeing to obey the laws, and delivering up their Sharpe's rifles. We denied his right, or the right of anybody else, to make such a condition of a community, or make any such demand of them until it had been shown that they had resisted the laws, which they had not done; that there had been as yet no proceedings in Lawrence under the Territorial laws, and he had no right to presume there would be any resistance to them when they were instituted. He gave up that point after some argument. I asked him, then, why he insisted upon the giving up of Sharpe's rifles, and if he meant to demand, too, western rifles, shot-guns, and other arms. He said he did not intend to demand other than Sharpe's rifles, but should demand them because they were unlawful weapons. After some time, he then said they were dangerous weapons; to which I agreed. I then told him, if he had any such idea in his head as that, he had better stay away and let the fight go on, as I thought the thing was not feasible, as he would do no good by coming here, if those were his terms. I told him he might as well demand of me my pocket-book or my watch, and I would resent the one no more than the other. I told him I did not consider myself safe, or that General Robinson or Colonel Lane would be safe, in going before our men with any such proposition. He then gave us the letter he had written, and we started for Kansas City to change horses.

On the 7th of December, Governor Shannon visited Lawrence pursuant to the invitation extended him to do so. Below Franklin he was met by a committee of ten Free-State men sent to escort him to the town. He says he was given a courteous reception. He was taken to one of the two finished rooms in the Free-State hotel, where he, Lane, and Robinson, long discussed the conditions by which they were surrounded. The fury of the Missourians caused the Governor to be apprehensive of his ability to disperse them. He had summoned Colonel Sumner to help

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him control them. They would have to see some results of their foray before they would return to their homes. Then, Jones and others did not want peace. The task of the Governor was not an easy one. He contended that there must be some assurance that the bogus laws would be accepted and obeyed. He also desired the arms of the Free-State men to be surrendered. Upon this point he insisted strongly.

No agreement was reached, and the Governor returned to Camp Wakarusa at about ten o'clock, P. M. The report he brought concerning the contentions of the Free-State men was not satisfactory to the Border-Ruffian captains. At one, A. M., on the 7th, he learned that some of the Missourians were preparing to raise a black flag and march on Lawrence. He was compelled to use all his power to prevent this, issuing this order:

WAKARUSA, DECEMBER 8th, 1855.

MAJOR GENERAL RICHARDSON:

Sir: You will repress all movements of a disorderly character, and take no steps except by order from me. If any unauthorized demonstration should be made upon Lawrence, you will immediately use your whole force to check it, as in the present state of negotiations an attack upon Lawrence would be wholly unjustifiable.

Your obdt. servant,

WILSON SHANNON.

WAKARUSA, DECEMBER 8th, 1855.

GENERAL STRICKLER.

Sir: You will repress any movements of a disorderly character. No attack must be permitted upon the town of Lawrence in the present state of things, as with the concessions they have made, and are willing to make to the supremacy of the law, such an attack would be wholly unjustifiable.

Your obdt. servant,

WILSON SHANNON.

The Border-Ruffians were in a bad humor on the morning of the 8th of December. They frankly told the Governor that unless the Free-State men surrendered their arms, Lawrence would be attacked, at the same time advising him to keep out of danger. He sought the captains. One of them finally suggested that a committee of thirteen go with him to Lawrence to try to reach an agreement. This the Governor approved. The committee met him at Franklin. He urged them to wait there until he could go to Lawrence and secure a deputation. At Lawrence he found a stipulation awaiting him. It was not satisfactory. It was re-written, and at four, P. M., signed. Thereupon Lane and Robinson went with him to Franklin to meet the captains. There, the matters in controversy were discussed for three hours. It was clear that a settlement would be reached, and the conclusion of the treaty announced. This was finally accomplished. The treaty is given:

WHEREAS, there is a misunderstanding between the people of Kansas, or a portion of them, and the Governor thereof, arising out of the rescue at Hickory Point of a citizen under arrest, and other matters. And *whereas,* a strong apprehension exists that said misunderstanding may lead to civil strife and bloodshed; and *whereas,* as it is desired by both

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Governor Shannon and the citizens of Lawrence and its vicinity, to avoid a calamity so disastrous to the interests of the Territory and the Union; and to place all parties in a correct position before the world. Now, therefore it is agreed by the said Governor Shannon and the undersigned citizens of the said Territory, in Lawrence now assembled, that the matter is settled as follows, *to wit:*

We, the said citizens of said Territory, protest that the said rescue was made without our knowledge or consent, but that if any of our citizens in said Territory were engaged in said rescue, we pledge ourselves to aid in the execution of any *legal* process against them; *that we have no knowledge of the previous, present, or prospective existence of any organization in the said Territory, for the resistance of the laws;* and we have not designed and do not design to resist the execution of any legal service of any criminal process therein, but pledge ourselves to aid in the execution of the laws, when called upon by *the proper authority,* in the town and vicinity of Lawrence, and that we will use our influence in preserving order therein, and declare that we are now, as we have ever been, ready to aid the Governor in securing a *posse* for the execution of such process; *provided,* that any person thus arrested in Lawrence or its vicinity, while a foreign foe shall remain in the Territory, shall be only examined before a United States District Judge of said Territory, in said town, and admitted to bail, and *provided further,* that all citizens arrested without legal process, shall be set at liberty; and *provided further,* that Governor Shannon agrees to use his influence to secure to the citizens of Kansas Territory remuneration for any damage suffered in any unlawful depredations, if any such have been committed by the Sheriff's *posse* in Douglas County. And further Governor Shannon states, that he has not called upon persons, residents of any other States to aid in the execution of the laws; that such as are here are here of their own choice, and that he does not consider that he had any authority to do so, and that he will not call upon any citizens of any other State who may be here.

We wish it understood, that we do not herein express any opinion as to the validity of the enactments of the Territorial Legislature.

(Signed)

WILSON SHANNON,
CHARLES ROBINSON,
J. H. LANE.

Done in Lawrence, K. T., December 8th, 1855.

The Governor had drawn up the orders for the Missourians to return home. These he withheld until Sunday morning, the 9th, when they were given out:

CAMP WAKARUSA, DEC. 8th, 1855.

Sir:

Being fully satisfied that there will be no further resistance to the execution of the laws of this Territory, or to the service of any legal process in the county of Douglas, you are hereby ordered to cross the Kansas River to the north side as near Lecompton as you may find it practicable with your command, and disband the same at such time and place, and in such numbers as you may deem most convenient.

Yours, with great respect,

WILSON SHANNON.

MAJOR GEN. RICHARDSON.

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KANSAS TERRITORY, CAMP WAKARUSA, DEC. 8th, 1855.

Sir:

Being fully satisfied that there will be no further resistance to the execution of the laws of this Territory, or to the service of any legal process in the county of Douglas, you are hereby ordered to disband your command at such time and place as you may deem most convenient.

Yours, with great respect,

WILSON SHANNON.

GENERAL STRICKLER.

KANSAS TERRITORY, CAMP WAKARUSA, DEC. 8th, 1855.

Having made satisfactory arrangements by which all legal process in your hands, either now or hereafter, may be served without the aid of your present *posse*, you are hereby required to disband the same.

Yours, with great respect,

WILSON SHANNON.

S. J. JONES, *Sheriff of Douglas County.*

Governor Shannon remained at Camp Wakarusa until about 10 o'clock Sunday morning, when he went in company with Brigadier-General Strickler, to Lawrence. Sheriff Jones and other leading Pro-Slavery men accompanied him. In the evening he was entertained by the ladies and gentlemen of the town at the Free-State Hotel. During the evening rumors came in that the Border-Ruffians had refused to return to Missouri and that they were threatening to march on Lawrence. It was believed necessary for the Free-State men to take active measures to repel the attack. In view of the recent treaty, it was decided that the leaders should be authorized by Governor Shannon to take defensive measures. They prepared a paper vesting this authority, and presented it to the Governor for his signature, which he attached after an examination of the document. The document is here recorded:

To C. Robinson and J. H. Lane, Commanders of the Enrolled Citizens of Lawrence:

You are hereby authorized and directed to take such measures and use the enrolled forces under your command in such manner, for the preservation of the peace and the property of the people in Lawrence and its vicinity, as in your judgment shall best secure that end.

WILSON SHANNON.

Some controversy arose as to the exact meaning of this paper and as to whether it authorized the Free-State men to act in the future. The Border-Ruffians were keen in their criticism of the Governor for signing this paper. In justification Governor Shannon wrote a long explanation of his actions to Brewerton, the correspondent of the *New York Herald.* The Border-Ruffians were much disgusted with Governor Shannon and the terms of the peace he had negotiated. They were reluctant to abandon so good an opportunity to destroy the town of Lawrence. They were loud in their condemnation. The Governor's course in this matter brought him into disrepute with the Pro-Slavery element. Stringfellow, of Atchison, in addressing his company, said that Shannon had sold them out, saying, "Shannon has sold himself and disgraced himself and the

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whole Pro-Slavery party." Atchison said to his followers: "Boys, we cannot fight now. The position the Lawrence people have taken is such that it would not do to make an attack upon it. It would ruin the Democratic cause, too. But, boys, we will fight some time, by ———!" Jones kept his tongue in his head, but said later that if Shannon had not been a d——d fool, he would have wiped out Lawrence. The *Missouri Republican* contained this dispatch: "The Missouri Volunteers have disbanded and returned home in disgust, because Governor Shannon would not allow them to burn the town of Lawrence."

The Border-Ruffian camp at Lecompton contained more than four hundred men. They were much dissatisfied with the settlement and could not be disbanded until Monday night. They had come through Atchison, Doniphan, Kickapoo and Leavenworth, and they took up the march to those places. They made about ten miles a day, and at twelve o'clock on Tuesday were opposite Lawrence. There was some talk of their crossing the river and attacking the town, but this they did not do. The Lecompton correspondent of the *Missouri Republican* wrote, "It is true that the avenging sword of an outraged people is hard to be restrained. The objects of our ire were more the objects of pity and contempt than of our wrath. They were driven to their holes. Their country firesides and homes were left to our mercy. They stood trembling like sheep before the knife of the butcher, conceding everything, invoking the Governor to prevent the shock." It was necessary for such misrepresentations as that to be spread broadcast over the State of Missouri.

On the evening of the 10th of December (Monday), the ladies of Lawrence gave a party at the Free-State Hotel, at which there were a number of invited Pro-Slavery guests, among them, Sheriff Jones. The leaders of the Free-State party were present. Many speeches were made. Lane, Robinson, S. C. Smith, and others, addressed the assembly. On Tuesday the soldiers passed in review before the leaders and were discharged. They were addressed by Lane and Robinson in exultant speeches, which may yet be read in the papers of that day. A number of prisoners had been taken by each party. S. C. Pomeroy had started on the 6th of December to Boston to secure aid. He was captured and held at Camp Wakarusa until the negotiations were concluded. George F. Warren and Dr. G. A. Cutler were arrested at Atchison and brought to Lecompton, where Cutler suffered from illness and indignities.

It was perhaps to be expected that at least one Free-State man should be murdered before the hostilities were finally concluded. Thomas W. Barber lived on the northwest quarter of section thirteen (13), township thirteen (13), range eighteen (18), seven miles up the Wakarusa from Blanton's bridge. He volunteered for the defense of Lawrence, and was in the town until the 6th of December. In the afternoon of that day he secured leave to visit his wife, who had been left alone on the claim. Barber was unarmed, but his brother Robert, and his brother-in-law, Thomas N. Pearson, were armed. Three miles west of Lawrence they saw a body of horsemen approaching from the direction of Lecompton. It was a body of Border-Ruffians going from Lecompton to Camp Waka-

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rusa. Two of the party, George W. Clarke and James N. Burns, left the Ruffian band and approached Barber and his companions. After some controversy, shots were fired and the parties separated. After riding a little way, Thomas Barber said he had been hit, and he had to be supported in his saddle. In a few minutes he slipped from his horse and died in the road. The shot which killed Barber was fired by Clarke. The body of Barber was brought to the Free-State hotel and his wife notified of the murder. He thus became the Kansas Martyr, almost entirely supplanting Dow.

Old John Brown

On Friday there appeared at Lawrence a lumbering wagon containing five men. The leader was gray-haired, close shaven, spare and tall. He had gray eyes. His lips were thin and compressed. He bore the aspect of grim determination. In his belt were two revolving pistols, and he carried a rifle. The others were his sons, armed as was their father. In the wagon were their supplies and more weapons, and at the front stood a staff from which floated an American Flag. The father was the commander of the party. He was Old John Brown. He had been in the Territory since October. He had come to fight slavery. The notice of the arrival of John Brown is taken from the *Herald of Freedom:*

About noon (December 7), Mr. John Brown, an aged gentleman from Essex County, N. Y., who has been a resident of the Territory for several months, arrived with four of his sons—leaving several others at home sick—bringing a quantity of arms with him, which were placed in his hands by Eastern friends for the defense of the cause of freedom. Having more than he could use to advantage, a portion of them were placed in the hands of those more destitute. A company was organized and the command given to Mr. Brown for the zeal he had exhibited in the cause of freedom both before and since his arrival in the Territory.

The Muster roll of the Company of Brown organized at Lawrence on the 7th of December is as follows:

Muster roll of Capt. John Brown's company in the Fifth Regiment of the First Brigade of Kansas Volunteers, commanded by Col. George W. Smith, called into the service of the people of Kansas to defend the city of Lawrence, in the Territory of Kansas, from threatened demolition by foreign invaders, enrolled at Osawatomie, K. T., called into service from the 27th day of November, A. D. 1855, when mustered, to the 12th day of December, when discharged. Service sixteen days.

Name and Rank.	*Age.*
John Brown, Sen., Captain	55
Wm. W. Updegraff, 1st Lieutenant	34
Henry H. Williams, 2d Lieutenant	27
James J. Holbrook, 3d Lieutenant	23
Ephraim Reynolds, 1st Sergeant	25
R. N. Wood, 2d Sergeant	20
Frederick Brown, 3d Sergeant	25
John Yetton, 4th Sergeant	26

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Name and Rank.	*Age.*
Henry Alderman, 1st Corporal	55
H. Harrison Updegraff, 2d Corporal	23
Daniel W. Collis, 3d Corporal	27
William Partridge, 4th Corporal	32
Amos D. Alderman	20
Owen Brown	31
Salmon Brown	19
John Brown, Jr.	34
Francis Brennen	29
William W. Caine	19
Benjamin L. Cochran	34
Jeremiah Harrison	22

(Endorsed.)

Muster roll of Capt. John Brown's company, Kansas Volunteers:

I certify on honor, that this Muster Roll exhibits the true state of Capt. John Brown's Company of the Fifth Regiment of Kansas Volunteers for the period herein mentioned; that each man answers to his own proper name in person; that the remarks set opposite each man's name, officer and soldier, are accurate and just.

GEORGE W. SMITH,
Colonel commanding the Fifth Regiment Kansas Volunteers.
December 12, A. D. 1855, Lawrence, K. T.

Old John Brown was displeased when the Free-State men were dismissed. He mounted an improvised platform and began to address the crowd when he was pulled down and not permitted to finish his speech. He wanted to fight. He was not deceived. He knew that conditions were such at that time that slavery would have to be shot to death. While he was suppressed and sent back home with his message undelivered, he bided his time. We shall hear of him later.

On the 16th of December, Brown wrote his family a letter in which he described the conditions in the Territory, and how he came to go to Lawrence. This letter is set down here:

OSAWATOMIE, K. T., 16th DECEMBER, 1855, SABBATH EVENING.
DEAR WIFE AND CHILDREN, EVERY ONE:

I improve the first moment since my return from the camp of volunteers who lately turned out for the defense of the town of Lawrence, in this Territory, and notwithstanding, I suppose you have learned the result before this (possibly), will give a brief account of the invasion in my own way.

About three or four weeks ago, news came that a Free-state man by the name of Dow had been murdered by a Pro-slavery man named Coleman, who had gone and given himself up for trial to a Pro-slavery Gov. Shannon. This was soon followed by further news that a Free-state man who was the only reliable witness against the murderer had been seized by a Missourian, appointed Sheriff by the bogus Legislature of Kansas, upon false pretenses, examined, and held to bail under such heavy bonds to answer the false charges, as he could not give, and that, while on his way to jail, in charge of the bogus Sheriff, he was rescued by some men belonging to a company near Lawrence; and that, in consequence of the rescue, Gov. Shannon had ordered out all the Pro-slavery force he could muster in the Territory, and called on Missouri

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for further help; that about two thousand had collected, demanding a surrender of the rescued witness and the rescuers, the destruction of several buildings and printing presses, and a giving up of the Sharpe's rifles by the Free-state men, threatening to destroy the town with cannon with which they were provided, etc.; that about an equal number of Free-state men had turned out to resist them, and that a battle was hourly expected, or supposed to have been already fought.

These reports seemed to be well authenticated, but we could get no further account of matters, and I left this for the place where the boys were settled at evening, intending to *go to Lawrence to learn the facts* the next day. John was, however, started on horseback, but before he had gone many rods word came that our help was immediately wanted.

On getting this news, it was at once agreed to break up at John's camp, and take Wealthy and Johnny to Jason's camp (some two miles off), and that all the men but Henry, Jason and Oliver should at once set off for Lawrence under arms, those three being wholly unfit for duty. We then set about providing a little corn bread and meat, blankets, cooking utensils, running bullets, loading all our guns, pistols, etc. The five set off in the afternoon, and after a short rest in the night (which was quite dark) continued our march until after daylight next morning, when we got our breakfast, started again, and reached Lawrence in the forenoon, all of us more or less lamed by our tramp. On reaching the place, we found that negotiations had commenced between Gov. Shannon (having a force of some fifteen or sixteen hundred men) and the principal leaders of the Free-state men, they having a force of some five hundred men at that time. These were busy night and day fortifying the town with embankments and circular earthworks up to the time of the treaty with the Governor, as an attack was constantly looked for, notwithstanding the negotiations then pending. This state of things continued from Friday until Sunday evening. On the evening we left, a company of the invaders of from fifteen to twenty-five attacked some three or four Free-state men, mostly unarmed, killing a Mr. Barber, from Ohio, wholly unarmed. His body was afterward brought in and lay for some days in the room afterward occupied by the company to which I belonged (it being organized after we reached Lawrence).

The building was a large, unfinished stone hotel, in which a great part of the volunteers were quartered, and who witnessed the scene of bringing in the wife and friends of the murdered man. I will only say of this scene that it was heart-rending, and calculated to exasperate the men exceedingly, and one of the sure results of civil war.

After frequently calling on the leaders of the Free-state men to come and have an interview *with him*, by Gov. Shannon; *as often* getting for an answer that if he had any business to transact with any one in Lawrence to come and attend to it, he signified *his wish* to come into the town, and an escort was sent to the invaders' camp to conduct him in.

When there, the leading Free-state men, finding out his weakness, frailty and consciousness of the awkward circumstances into which he had really *got himself*, took advantage of his cowardice and folly, and by means of that and the free use of whisky and some trickery succeeded in getting a written arrangement with him, much to their own liking. He stipulated with them to order the Pro-slavery men of Kansas home, and to proclaim to the Missouri invaders that they must quit the Territory without delay, and also give up Gen. Pomeroy, a prisoner in their camp, which was all done; he also recognized the volunteers as the militia of Kansas, and empowered their officers to call them out whenever, in their discretion, the safety of Lawrence or other portions of the Territory might require it to be done.

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He, Gov. Shannon, gave up all pretension of further attempt to enforce the enactments of the bogus Legislature and retired, subject to the derision and scoffs of the Free-state men (into whose hands he had committed the welfare and protection of Kansas), and to the pity of some and the curses of others of the invading force.

So, ended this last Kansas invasion, the Missourians returning with *flying colors* after incurring heavy expenses, suffering great exposure, hardships and privations, not having fought any battles, burned or destroyed any infant towns or Abolition presses, leaving the Free-state men *organized and armed,* and in *full possession* of the Territory, not having fulfilled any of all their dreadful threatenings, except to murder one *unarmed* man, and to commit some robberies and waste of property upon defenseless families unfortunately in their power.

We learn by their papers that they boast of a great victory over the Abolitionists, and well they may. Free-State men have only to hereafter retain the footing they have gained, and KANSAS IS FREE. Yesterday the people passed upon the Free-State Constitution. The result, though not yet known, no one doubts.

One little circumstance connected with our own number showing the true character of the invader: On our way, about three miles from Lawrence, we had to pass a bridge (with our arms and ammunition), of which the invaders held possession; but as the five had each a gun, with two large revolvers in a belt (exposed to view) with a third in his pocket, and as we moved directly on the bridge without making any halt, they, for some reason, suffered us to pass without interruption, notwithstanding there were some fifteen to twenty-five (variously reported) stationed in a log house at one end of the bridge. We could not count them. A boy, on our approach, ran and gave them notice. Five others of our company, *well armed,* who followed us some miles behind, met with equally civil treatment the same day. After we left to go to Lawrence until we returned when disbanded, I did not see the least sign of cowardice or want of self-possession exhibited, by any volunteer of the eleven companies who constituted the Free-state force, and I never expect again to see an equal number of such well behaved, cool, determined men, fully as I believe, sustaining the high character of the Revolutionary Fathers. But enough of this, as we intend to send you a paper giving a fuller account of the affair. We have cause for gratitude that we all returned safe and well, with the exception of hard colds, and found those left behind rather improving. We have received $50 from father, and learn from him that he has sent you the same amount, for which we ought to be grateful, as we are much relieved, both as respects ourselves and you. The mails have been kept back during the invasion, but we hope to hear from you again soon. Mr. Adair's folks are well, or nearly so. Weather most pleasant, but sometimes most severe. No snow of any account as yet; can think of but little more to write.

Monday morning—17th. The ground for the first time is fairly whitened with snow and it is quite cold, but we have had before a good deal of cold weather with heavy rains. Henry and Oliver, and I may say, Jason, were disappointed in not being able to go to the war. The disposition of both our camps to *turn out* was uniform.

May God abundantly bless you all and make you faithful.

Your affectionate husband and father,

JOHN BROWN.

The Wakarusa War gave James H. Lane the ascendency over Robinson with the Free-State men. After that war, Lane was supreme in

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Kansas political affairs. He had met most of the strong men of the Territory in the ranks of the defenders of Lawrence. They were Western men, like himself. His views were their views. His language was their language. They understood him. There was a common feeling between Lane and these strong men assembled to fight for freedom. Lane was in personal command of the troops and superintended the construction of the defences of the town. His services in the Mexican War eminently fitted him for this work. The excitement of the times kept his magnificent personality on the keenest tension. The men under arms relied implicitly on his judgment. The bonds cemented there between Lane and the Free-State men of Kansas ended only with death. While he was in the trenches day and night, Robinson was in his office and out of sight. He conducted the negotiations. The men wanted to fight the Border-Ruffians, but Robinson did not want to fight. The men were displeased with the temporizing of Robinson. They knew as well as did Atchison that the treaty of peace was no settlement of the differences between the parties. This treaty was the beginning of the decadence of Robinson's influence. It was also the proof that the Emigrant Aid Company would accomplish nothing for Kansas. From that day it was dead beyond any possible revival. The Free-State men realized its true status and intentions. They never relied on it again for anything. They saw it was speculative, and for the sole use and benefit of its officers.

Salmon Brown was in Lawrence with his father. In his communication to this author, dated May 28, 1913, he had this to say of the closing scenes of the Wakarusa War:

> Father took his horse and wagon loaded with guns, with all of his sons that were able to go, I among the rest, and started for Lawrence in the evening. We reached Wakarusa bridge early the next morning. The bridge was guarded by the ruffians but they let us pass as we were all armed to the teeth. We got into Lawrence that forenoon.
>
> We were greeted by Lane and Capt. Abbott with much joy on our arrival and given quarters in the Free State Hotel. The town was well fortified with earthworks under the direction of Lane. There were then about six hundred recruits in town to defend the place. We had plenty to eat of bread and meat and slept on the floor of the hotel.
>
> Lane was in charge of the men. I think the next day after we arrived a man by the name of Barber was killed one mile south of Lawrence by a gang of men under the direction of Sheriff Jones. Barber had been out to his home that day to see if his family was all right. Coming back to Lawrence he was killed by Jones posse and left there for the flies to blow. Some of our people heard the shooting and went out and brought his body in and put it in a room of the hotel.
>
> A squad of our men went after Mrs. Barber and brought her in. The scene that followed was heart rending in the extreme. I never heard such screams of anguish come from any human being. The whole town was wild with excitement.
>
> Gov. Robinson had arranged to meet Shannon that evening at the Free State Hotel to see if they couldn't fix up a treaty and stop the war. Shannon came up from his horde of Missouri militia escorted by a Free State committee and was taken to an upper room in the Free State Hotel to fix up the treaty of peace with Gov. Robinson's faction. He was well

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supplied with liquor which the committee furnished knowing his weakness and his fall from the high positions through drink.

He was one of the finest looking men I ever saw, with a gigantic brain and physique, six and one half feet tall and straight as a Liberty pole; he possessed a fluent tongue and impressive manners.

While Robinson's clique were manipulating Shannon there was a rumor that Sheriff Jones was to be admitted to the upper counsel in the hotel. The men were about equally divided between Lane men and Robinson men,—both sides ready to fight for their man, with guns in their hands flourishing them in a frantic and hostile manner. I looked on amazed at the scene.

James H. Lane at this critical moment, jumped on a big work bench and said "If Sheriff Jones comes in here with the dead body of Barber in the house, we will carry him out with a couple of chips."

My brother John placed me at the door to watch my father for fear he would shoot Sheriff Jones if he came in as had been arranged by the Robinson clique. The crowd all cooled off somewhat, Lane among the rest, and Sheriff Jones was admitted to the upper room and doped with Old Rye. Very little sleep came to any one of those six hundred men that night.

The next morning Shannon, very much sobered up and realized how he had been beaten by his own weakness, and tricked by the Robinson crowd, went out to the planks that led into the hotel and in a very dignified speech and manner explained to all of us that a compromise had been completed and no blood would be shed, and the validity of the territorial laws would be upheld. Of course he meant the Lecompton laws. In fact the Robinson crowd got all the concessions that they asked for but let Shannon clear himself before Pierce's administration who were behind the Lecompton laws. One of their laws made it punishable with death to speak, write, or circulate anything against slavery.

My father, who wanted to make a night attack on the ruffians who had come there to burn the town and kill the bona fide settlers in order to establish slavery, was so put out by the compromise that when Shannon finished his speech he got up on the same planks and said, "We have been betrayed by this compromise." Robinson's men caught hold of him and pulled him down off the planks.

The little episode between Lane and Robinson about admitting Sheriff Jones to the council after he had come fresh from the killing of Barber was settled the next day, when we were all drawn up in line by Lane to be discharged, by Robinson coming out in front of Lane's command and apologizing in a humble manner for asking Jones into the council. He said he had made a great mistake. Lane, standing in front of his command of six hundred brave boys, said in a voice that could be heard the whole length of the line, that if Robinson had been his own brother he would have protested in the same manner. Then we were discharged and went home to go through a very cold winter and deep snows.

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CHAPTER XXIX

THE FIRST SACKING OF LAWRENCE

Preliminary

The manner in which the Wakarusa war had ended was wholly unsatisfactory to the Border-Ruffians. They left their camps on the Wakarusa and about Lecompton threatening to return. Atchison had assured his followers, that, while they could not fight then, that they would return to fight another day.

The winter of 1855-56 was extremely cold. The weather had been mild until Saturday, December 8th. On that day there came down from the North, what was later termed a blizzard. The weather grew extremely cold. The discomfort caused by the storm was one of the contributing causes to the acceptance by the Border-Ruffians of the terms of the Treaty of Peace negotiated by Shannon with the Free-State men. The wind came across the naked prairies like a gale at sea. It chilled and pierced to the very marrow. The frail shelters of the Border-Ruffians afforded little protection against this extreme weather.

The correspondent of the *Missouri Republican* had this to say of the storm.

Lecompton Camp, Sunday Morning, December 9th, 1855.

Last night was one of the most terrible that has been known in a long experience. The storm-king visited us in the fury of his might. With rain, and hail, and snow, and wind, and tornado, he attacked us on the northwest of our encampment, prostrating our tents, extinguishing our fires, enveloping us in black darkness, and wetting and freezing us until the morning. The large frame work of the new capitol hotel was dashed to the earth, and its broken timbers scattered over the hills. Many of our militia who had responded so suddenly to the call of the Governor as to be unable to provide themselves with tents, etc., had fastened sheets and blankets upon bent saplings to keep off the rain, but they afforded no protection when the high winds came. They were torn up and cracked in the breeze, and sent streaming into shreds among the shrieking limbs of struggling trees.

It is said that, on account of the cold, many of the Missourians started home before the announcement of the conclusion of peace. Severe as this cold spell was, it was only the forerunner of more extreme weather. On the 22nd of December there was a heavy fall of snow. The storm continued until the 24th, when the thermometer registered seventeen degrees below zero. On the 25th it fell as low as thirty degrees

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below zero. It continued cold until the 22nd of February, when the winter broke up and there was an early spring. To this extreme cold, the Free-State men attributed their immunity from another invasion of the Border-Ruffians.

The election for the adoption of the Topeka constitution was held, as we have seen, on the 15th of December. General L. J. Eastin notified his militia command to muster at Leavenworth on that day to be paid for their services in the Wakarusa war and discharged. The majority of this Kansas militia resided in Platte County, Missouri. They began crossing the river early in the day. At noon there were several hundred of them in Leavenworth. Their Colonel was one Payne, a member of the bogus Legislature, and who had been appointed by that body as Judge of Leavenworth County. One Dunn, a keeper of a whisky shop in Leavenworth, was also an officer of this Kansas Militia. After noon this mob assaulted the judges of the election. Two of the election officials escaped without injury. A third, named Weatherill, threw the ballot box under the counter of the store in which the election was being conducted, and ran out of the building. When he reached the street, he was knocked down, trampled in the mud and beaten. Two Free-State men, together with a Pro-Slavery man, rescued him. The mob had gone into the store and secured the ballot boxes, which they carried at the head of their column as they paraded the streets uttering fierce whoops and yells. The *Territorial Register,* conducted by M. W. Delahay was threatened with destruction. In the afternoon the Ruffians were formed in military ranks, where they were addressed by Judge Eastin, who commended their zeal in the interest of Law and Order. The *Territorial Register,* having fallen under the displeasure of the Ruffians, was not long permitted to remain unmolested. On the Saturday night after the election, the Platte County Regulators came to Leavenworth in force. They crossed the river at Kickapoo and descended upon Leavenworth under the command of Captain Dunn, Dr. Royal, James Tyler and G. W. Purkins. Mr. Delahay was not in Leavenworth at the time. He had recently refused to go to the aid of Lawrence, knowing the danger in which he stood, but he had been a delegate to the Big Springs Convention, and was a staunch Free-State man. The Regulators destroyed the office of his paper, throwing the press and the type into the Missouri River.

The election for officers, under the Topeko constitution, was held on the 15th of January, 1856. At Easton, in Leavenworth County, the activity of the Kickapoo Rangers, a Border-Ruffian organization, caused the postponement of the election for two days. The election was held on the 17th at the house of a Mr. Minard, about half a mile from Kickapoo. Eight persons went there from Leavenworth in a wagon to vote. Captain E. P. Brown was one of these men. To protect themselves, they were armed. The number of votes cast at that precinct was seventy-two and there was no disturbance. After the polls were closed and darkness was coming on, thirty mounted Ruffians went to Minard's house. The Free-State men came out and confronted them. They re-

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treated but later demanded the ballot boxes. At two o'clock the next morning, the Free-State men heard that Stephen Sparks, one of their number, had been made prisoner at Easton. Captain Brown with fifteen men started to rescue him. They came upon a mob holding Sparks and his son at bay in a fence corner. Upon the appearance of the Free-State men, the Missourians dispersed. Later the two parties began firing on each other. One Pro-Slavery man was killed and two Free-State men wounded. When this skirmish was over, the Free-State men returned to Minard's house.

The Leavenworth parties set out for home about nine o'clock. Six miles away they met two wagons filled with Border-Ruffians. In a few minutes a body of mounted Ruffians appeared. They were armed with hatchets, bowie knives, guns and revolvers. They made prisoners of the Leavenworth party. The Free-State men were taken to Easton where the news of the killing of the Pro-Slavery man had just been spread abroad. The prisoners were placed in a small store and closely guarded. In about an hour, Captain Brown was taken out for trial. The other Free-State men were permitted to escape. It was finally determined to take Brown to Leavenworth and confine him there to await trial. On the announcement of this conclusion, the mob demanded that he be punished at once. The Ruffians broke down the door and attacked Brown with hatchets and knives. He was dragged out, stabbed and chopped until near death. He was then carried in a wagon into the Salt Creek Valley. It was seen that he could not recover and he was thrown into a wagon and taken home. He expired there in a few minutes; the only words spoken by him being, "I have been murdered by a gang of cowards in cold blood without any cause." Brown was a member of the Free-State Legislature, which passed resolutions of condolence with his family, and condemnation of the acts of the Ruffians.

The Law and Order men were not entirely satisfied even with the death of Brown. They determined to drive the Free-State men from that part of the Territory, warning them all to leave by written notices signed by some twenty of their number. The Free-State men gathered in a body to defend themselves and called for help from Topeka and Lawrence. A company was sent to their assistance and the Ruffians dispersed. A Pro-Slavery paper had this to say about the murder of Brown.

> Rally! Rally! . . . Forbearance has now ceased to be a virtue. Therefore we call upon every pro-slavery man in this land to rally to the rescue. Kansas must be immediately rescued from the tyrannical dogs. The Kickapoo Rangers are at this moment beating to arms. A large number of the pro-slavery men will leave this place for Eastin in twenty minutes. The war has again commenced, and the abolitionists have again commenced it. Pro-slavery men, law and order men, strike for your altars! strike for your firesides! strike for your rights! Avenge the blood of your brethren who have been cowardly assailed, but who have bravely fallen in the defense of southern institutions. Sound the bugle of war over the length and breadth of the land, and leave

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not an abolitionist in the Territory to relate their treacherous and contaminating deeds. Strike your piercing rifle balls and your glittering steel to their black and poisonous hearts! Let the war cry never cease in Kansas again until our Territory is wrested from the last vestige of abolitionism.

It will be remembered that General Atchison had comforted the Platte County Rifles with the assurance, that, while they could not exterminate Lawrence because of the position the Free-State men had assumed, they might rest assured that they would be led back to fight on a future day. On the 4th of February at Platte City, he made a speech, from which this extract is made.

I was a prominent agent in repealing the Missouri Compromise, and opening the Territory for settlement. The abolition orators drummed up their forces and whistled them on to the cars and whistled them off again at Kansas City; some of them had "*Kansas* and *Liberty*" on their hats. I saw this with my own eyes. These men came with the avowed purpose of driving or expelling you from the Territory. What did I advise you to do? Why to meet them at their own game. When the first election came off I told you to go over and vote. You did so, and beat them. Well, what next? Why an election of members of the Legislature to organize the Territory must be held. What did I advise you to do then? Why, meet them on their own ground, and at their own game again; and cold and inclement as the weather was, I went over with a company of men. The abolitionists of the North said and published it abroad that *Atchison was there with bowie knives, and by G—d it was true. I never did go into that Territory—I never intend to go into that Territory without being prepared for all such kinds of cattle.*

They have held an election on the 15th of last month, and they intend to put the machinery of a State in motion on the 4th of March. Now, you are entitled to my advice, and you shall have it. I say prepare yourselves. Go over there. Send your young men, and if they attempt to drive you out, then, damn them, drive them out. Fifty of you, with your shot guns, are worth two hundred and fifty of them with their Sharp's rifles. Get ready—arm yourselves, for if they abolitionize Kansas you lose $100,000,000 of your property. I am satisfied I can justify every act of yours before God and a jury.

Sheriff Jones had sullenly retired from Lawrence upon the negotiation of the Treaty of Peace by Governor Shannon. He had not relinquished the intention to wipe out Lawrence. He constantly sought an opportunity to renew hostilities. On the 15th of January he addressed a communication to Robinson and Lane here given:

Generals Robinson and Lane:

Gentlemen: Did you or did you not pledge yourselves at a council held in Franklin on the ——— day of December, to assist me, as Sheriff, in the arrest of any person in Lawrence against whom I might have a writ, and to furnish me with a posse to enable me to do so?

SAMUEL J. JONES,
Sheriff Douglas County, K. T.

Those gentlemen made this reply:

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Samuel J. Jones, Esq.

Sir: In reference to your note of yesterday, we state that at the time and place mentioned we may have said that we would assist any proper officer, in the service of any legal process in this city, and also no further resistance to the arrest by you of one of the rescuers of Branson would be made, as we desired to test the validity of the enactments of the body that met at the Mission, calling themselves the Kansas Legislature, by an appeal to the Supreme Court of the United States.

Yours respectfully,

C. ROBINSON.
J. H. LANE.

During the winter armed bodies of the Law and Order party scoured the Territory, harrying the Free-State settlers. This continued into the spring. Horses were stolen, fields wasted, houses burned, and other outrages perpetrated. Dr. Stringfellow, in his *Squatter Sovereign,* said this: "We say if the Abolitionists are able to whip us and overturn the government that has been set up here, the sooner it is known the better; and we want to see it settled. We want to see it determined whether honest men or rogues are to rule here."

PROMOTED EMIGRATION FROM THE SOUTH

It is to be regretted that no more particulars of the organization of promoted emigration from the South has been preserved. In the winter of 1855-56, there was an extensive movement in aid of this emigration. There is little doubt that the public prints of that day would reveal a good many of the particulars of this movement. In January, the State of Alabama appropriated $25,000 to aid in the work. Colonel Jefferson Buford of the same State, contributed a like amount. Judge Quitman of Mississippi contributed $2,500. Many Southern planters gave liberally to this fund. On the 19th of January, 1856, Colonel Buford published an address in the *Alabama Spirit of the South,* in which he outlined his plan.

To Kansas Emigrants and to all Friends of the South:

I had proposed to start with my company of Kansas emigrants on the 11th of February next, but many of them being unable to get ready by that time, and others being unwilling to go before spring, and especially as I am advised by my correspondents that the Missouri and Kansas rivers are already impeded by ice, I have determined to postpone starting till the winter breaks.

The emigrants may rendezvous at Eufaula, on the 31st March next, at Columbus, Ga., on the 3d of April, and at Montgomery, Ala., on the 5th of April next—so that I can start from Eufaula, via Columbus and Montgomery, collecting on the way those I find at the different places of rendezvous. The company will travel from Montgomery by steamers, via Mobile and New Orleans, or else by railroad via Atlanta to Nashville, and thence by steamer to Kansas. I engage to transport no baggage except six blankets, one gun, one knapsack, and one frying-pan to each emigrant. For baggage over and above this, the emigrant himself must engage transportation; many will have no more, and I must treat all alike. While I thought my company would be small, I expected to be able to take women, children, and slaves; but I find I must leave them

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to give place to men, who are now greatly needed in Kansas to preserve the public peace and enforce the laws. I now expect over four hundred men, and I will take no females, nor slaves, nor minors under eighteen years of age. Women and children should not be exposed there in tents in the spring, but the husbands should go first and prepare houses.

The regiment will be divided into companies of forty or fifty men, under the usual military officers, elected by the men. Officers have no emoluments, and the organization is on the principle of volunteer militia to sustain the laws; a majority of each company may expel any member. Rations, transportation, and fare, that of soldiers in service. By way of remunerating me for the privilege of joining my party, for subsistence and transportation to Kansas, and for furnishing means to enter his pre-emption, each emigrant agrees to acquire a pre-emption, and to pay me, when his titles are perfected, a sum equal to the value of one-half of his pre-emption, which obligation he may discharge in money or property at a fair valuation, at his own option. I had heretofore, from misinformation, supposed pre-emptions assignable before patent, but on examining the act I find they are not. Neither does the donation act apply to Kansas, but each male of full age, widow or head of family who has not had a pre-emption under the act of 1841 and does not own 320 acres of land, and who has improved and settled on it—not to sell on speculation, but for his own use and cultivation—is entitled to enter 160 acres, at $1.25 per acre, payable any time before the land sales.

I have simplified my proposals to a single proposition, as above, in order to be more easily understood and to obviate the many questions that overwhelm me.

Besides taking only free males over eighteen, the great number of applications compels this further modification, *i. e.*—I will receive only those emigrants who rendezvous at the places above designated—at either of which places, *i. e.*, Eufaula, Columbus, or Montgomery, I will receive all males over eighteen from any Southern State, who join me at the time above designated; their rations to begin from the time above named for rendezvous. Emigrants must pay their own expenses to the place and day of rendezvous. Those gentlemen in California and other States, forming companies to join me, can very easily obtain free transportation for their companies by proper application to the directors of the railroads over which they must pass.

. . . . . .

I have before told you what Judge Cato (Judge of the Territory) says of that fertile region. In his letter of November last, he writes:—

"Corn is plenty at twenty-five cents per bushel. This is as fine a country as any on earth; the profits on its productions far exceed that in the cotton regions. All grain, grass, clover, and hemp give large returns—at least from thirty to forty dollars per acre annually. I have seen no poor lands; it all seems richer than the best Chattahoochee bottom, and the most of it is just like adjoining Missouri lands that now sell at twenty to fifty dollars per acre. The estimated average of the corn is one hundred bushels per acre, and six tons hemp per hand, worth $140 per ton. I can give no idea of the beauty and fertility of the soil of the country."

Dr. Walker, a long resident of its borders, and of high character and intelligence, says:

"As far as health, climate, and profits of labor are concerned, Kansas is better than any part of the Union. There is no country where

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a man can be more independent, and make his bread and meat with less capital, than here; ten or twelve furrows will make ten barrels of corn to the acre. One thousand pounds hemp per acre is a common crop. There are swarms of cattle and good markets for everything."

Another distinguished resident of Western Missouri, in his letter of the 30th December to me, says:

"Planters are making twice the money per hand that they are in any part of the Union. One hand will raise five tons of hemp, and this don't interfere with the corn, wheat, and oat crop; planters have no supplies to purchase, but everything to sell. A near neighbor last years, with fourteen hands, men, women, and boys, averaged eight hundred and thirty-six dollars per hand—negro fellows, field hands, hire for $300 per annum—mechanics, $600; white men, $25 per month; any number of young men in the spring can find ready employment at that price, and then they have other advantages."

Kansas is the starting point for California, Oregon, Utah, and New Mexico—thousands of wagons leave every spring; they carry three millions of goods per annum to New Mexico, besides immense government supplies to pay Indians and sustain our military posts, etc.

Let every one wishing to go urge his neighbors to hold meetings who will appoint agents to solicit every man's contribution, either in money or note, payable after the emigrants are taken out. Contributions must not be to individual members, but for the common benefit. I could by the last of March raise five thousand men, if the contributions reached, say $10 per head—for that would enable me to furnish all with their military and agricultural outfit.

I am asked, "What military and other service do I require?" *None*, except that when he gets to Kansas, the emigrant shall begin some honest employment for a living—if it be working on his claim—that will give him credit to buy bread on. On his way there he is expected to be orderly and temperate, to attend the reading of the Scripture and prayer, night and morning, learn to fear God, to be charitable to our enemies, gentle with females and those in our power, merciful to slaves and beasts, and just to all men.

All who intend to go will please write me immediately.

W. P. Belcher, Esq., Abbeville C. H., S. C., and Capt. E. B. Bell, Graniteville, Edgefield, S. C., I understand, are raising companies to join me. They, doubtless, can get free transportation for them to Columbus, Ga., and Carolina emigrants might do well to come with one of them.

All editors friendly to the enterprise, it is hoped, will copy this address in full.

EUFAULA, ALA., JAN. 19, 1856. J. BUFORD.

Colonel E. B. Bell, of South Carolina, about the same time published in the *Edgefield Advertiser*, a notice that he intended to raise a company to go to Kansas.

HO! FOR KANSAS

At the solicitation of many friends, I will commence the organization of a company of one hundred men to proceed to Kansas about the last of March.

This pioneer band needs the aid of our moneyed citizens. They go to a far-off country for the purpose of securing homes, and at the same

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time to defend Southern institutions. They appeal to their native State for aid, with the hope that their appeal will not be in vain.

It is impossible that the people of South Carolina can hear without emotion the news which daily comes to us from Kansas.

. . . . . .

We trust that these questions may be answered in a worthy and liberal manner. Let patriotism, State pride, and Southern spirit be expressed in some suitable, practical form of aid for Kansas.

E. B. BELL.

Others raised companies in South Carolina, among them Colonel Warren D. Wilkes. To aid in this movement, D. R. Atchison, Silas Woodson, B. F. Stringfellow, and other citizens of Missouri made a tour of the South. Atchison had already written a letter which was widely published by Southern papers.

. . . We are in a constant state of excitement here (Platte City). The "Border Ruffians" have access to my rooms day and night. The very air is full of rumors. We wish to keep ourselves right before the world, and we are provoked and aggravated beyond sufferance. Our persons and property are not for a moment safe, and yet we are forced by the respect we owe our friends elsewhere, by respect for the cause in which we are engaged, to forbear. This state of things can not last. You are authorized to publish the whole or part of what I have written. But if Georgia intends to do anything, or can do anything for us, let it be done speedily.

Let your young men come forth to Missouri and Kansas. Let them come well armed, with money enough to support them for twelve months, and determined to see this thing out. One hundred true men would be an acquisition; the more the better. I do not see how we are to avoid civil war; come it will. Twelve months will not elapse before war—civil war of the fiercest kind—will be upon us. We are arming and preparing for it. Indeed, we of the border counties are prepared. We must have the support of the South. We are fighting the battles of the South. Our institutions are at stake. You far Southern men are now out of the nave of the war; but if we fail it will reach your own doors, perhaps your hearths. We want men—armed men. We want money—not for ourselves, but to support our friends when they come from a distance. I have now in this house two gallant young men from Charleston, South Carolina. They are citizens of Kansas, and will remain so until her destiny is fixed.

Let your young men come in squads as fast as they can be raised, well armed. We want none but true men.

Yours truly,

D. R. ATCHISON.

P. S. I would not be astonished if this day laid the ground work for a guerrilla war in Kansas. I have heard of rumors of strife and battle at Leavenworth, seven miles from this place; but the ice is running in the Missouri River and I have nothing definite. I was a peacemaker in the difficulty lately settled by Governor Shannon. I counseled the ruffians to forbearance; but I will never again counsel peace.

D. R. A.

The correspondent of the *Missouri Republican,* writing from Westport on April 29, 1856, announced the arrival of Major Buford and his men. The communication appeared in the issue for the 6th of May.

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WESTPORT, APRIL 29, 1856.

Hurrah for Georgia! Hurrah for Alabama! Hurrah for South Carolina and Tennessee! And why hurrah for them? Because they are doing their duty. Now there are in this vicinity, lately landed from boats, over five hundred, perhaps more, emigrants from these four States. There never was such a crowded country; every hotel is more than running over. There are not half enough public houses to entertain them, and the citizens of this place have turned out to get the emigrants comfortable places for lodging. All the vacant houses and tenantless rooms of every description have been furnished Major Buford, for it is the bulk of his company that, at this time, makes the crowd. Add to all this that today the F. X. Aubry arrived with a large number more of Southerners, and that they are likewise landing in great numbers at Leavenworth and Atchison, and you can see what the South is doing. If these things continue long, there will be no struggle at all; for the South is now several hundred ahead of the North in regard to this Spring's emigration, while, at the same time, the South is increasing every day, and the North falling off. Today, the Yankee hotel at Kansas City looked somewhat like a "banquet hall deserted," none of the Southerners, scarcely, stop there. The healthy reaction that seems to be taking place in the North, is stopping to a certain extent the flood of Abolitionism that threatened to over-run Kansas.

Major Buford's company will outfit here, and in a few days set out for the Territory. They are a fine looking set of young men, and if they make as good settlers as they are doubtless good fighters, Kansas will be greatly indebted to the originator of the expedition. Three weeks ago, when the principal travel to the Territory appeared to be from the wrong source, the Free Soilers as soon as they got into Kansas, would be so insolent and insulting as to make it very unpleasant to travel the same road with them. But they are getting very quiet.

The correspondent of the same paper writing from Palermo on the 5th of May has this to say of the promoted emigration of the South:

Some thousand Southerners have arrived within the last week or two, and these barbarities at Lawrence have determined most of them to settle at and around that town. A spirit is up and a determination is manifested everywhere to maintain the law in future. Its guardians will be everywhere. The people of Lawrence will henceforth have eyes about them, to detect the perpetrators of these desperate crimes and the arm of the law will have sufficient strength to punish them.

This Southern emigration settled at various points in Kansas Territory. The South Carolinians went to Atchison; those from Georgia and Alabama settled about Lawrence. Some Georgians went as far south as the Pottawatomie, in what is now Franklin and Miami counties. In Douglas County they were to be found at Lecompton, and at Fort Saunders, which was on Washington Creek, some twelve miles southwest of Lawrence. A company had gathered around the house of Colonel Titus, which was near the Kansas River, below Lecompton. A goodly number of them stopped at Westport, and made raids into Kansas from that Missouri town. Arrangements had been made for the settlement of a contingent in the Wyandot Reserve, now Kansas City, Kansas. A few of them were stationed there, but they found it an

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inconvenient location. Very few of this Southern promoted emigration took claims. They lived about the towns. When any of them went into the country to remain for a time, lived in fortified camps. Most of them were young men violently in favor of making Kansas a slave state, and while some of them were of good families, a great many were loafers from the larger cities. They robbed Major Buford of a considerable sum of money while on the steamboat between St. Louis and Kansas City. At Kansas City Major Buford assembled those coming with him, and made a very peculiar address to them, a sort of prayer. They had signed a business contract before setting out for Kansas. The terms of this contract were made public at Kansas City, and upon discussing it among themselves, the emigrants were greatly dissatisfied, and claimed that they had been deceived. It is not likely that any misrepresentation had been made to them, and the better element among them was probably as well satisfied as emigrants ever are upon arrival in a new country. The reception of the company is described in the *Missouri Republican,* May 6, 1856:

I forgot, in my last letter, to mention the handsome manner in which Major Buford's Company were received. On their arrival at Kansas City they were met by a delegation from Westport, headed by a brass band, a fine company of sprightly young men, and welcomed by Gen. G. W. Clark, who was responded to by Major Buford. This took place on the wharf. Afterwards the crowd assembled in front of the "American," and called out several gentlemen for speeches. First your correspondent was called for, when he appeared on the steps, began to speak, and further deponent says nothing at this time. Then came Dr. Weibley and Mr. J. D. Pennybaker, who entertained the excited assembly agreeably, for a few minutes. After some stirring music, most of the crowd adjourned to the Farmer's Hotel, where the Westport delegation and Company No. 3, Capt. Jones, were hospitably entertained by Milton McGee, Esq., or in our popular phrase, "Coon" McGee, who may be set down and considered by "all the world and the rest of mankind," as an entire team.

On the 3d of May the *Republican* correspondent had this:

Major Buford's Company have all gone into the Territory. Yesterday morning, before leaving here, they were very eloquently addressed by Mr. A. Baker, of Alabama, and Col. A. Anderson of Lexington, Mo., and at the close of the speaking the Major was presented with a fine horse, bridle and saddle. The horse was given by Mr. Samuel L. McKenney, of Westport, a gentleman of wealth and high standing. The horse is a spirited and well made sorrel, which cost one hundred and fifty dollars. The saddle, for which forty dollars was paid, was bought by subscription, and the bridle was presented by Mr. Dillon of this place. The presentation was made as a testimonial of Major Buford's "services in behalf of the South and the cause of Slavery for Kansas."

The South Carolina contingent arrested Mr. Josiah Miller, editor of the *Kansas Free State.* Mr. Miller was a native of South Carolina, and these Ruffians tried him on the charge of treason to his native State. It was with some difficulty that he escaped with his life, after losing

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his horse and his money. A few members of this Southern promoted emigration remained in Kansas and became good citizens. The writer knows that three or four of them volunteered in the Kansas regiments in the Civil War and fought for the Union. Robberies and murders were common in the communities where these Southerners had their camps, and these robberies were imputed to them. They all gathered at the sacking of Lawrence. Their influence in Kansas was no greater than was the influence of the promoted emigration from the North; in fact it was not so great. Many very excellent citizens came under the auspices of the Emigrant Aid Company, and, as has been already noted, they were active in meetings, and did much of the writing on the early history of Kansas.

The Congressional Investigation

In the House of the 34th Congress, no party had a majority. The troubles in Kansas had their influence in Washington. It was with difficulty that the House was organized. At the end of nine weeks, N. P. Banks was elected by the fusion of elements believed to be opposed to the Free-State party in Kansas. Mr. Whitfield did not appear at the bar of the House as the member from Kansas Territory until the 4th of February, when he took the oath of office. Mr. Reeder, who had been chosen at the election called by the Free-State people pursuant to the action of the Big Springs Convention, gave notice that he would contest the seat of Mr. Whitfield. On the 19th of March the House appointed a Committee to proceed to Kansas and investigate the conditions prevailing in the Territory. John Sherman, of Ohio; William A. Howard, of Michigan; and Mordecai Oliver, of Missouri, were appointed the Committee. The sum of $10,000 had been appropriated to pay the expenses of the Committee, which was allowed four clerks, a reporter and three sergeants-at-arms. The Committee was empowered to hold investigations at such places and at such times as they might deem advisable. Their duties were stated principally in the following resolutions of the act appointing them:

Resolved, That a committee of three of the members of this House to be appointed by the Speaker, shall proceed to inquire into and collect evidence in regard to the troubles in Kansas generally, and particularly in regard to any fraud or force attempted or practiced, in reference to any elections which have taken place in said Territory, either under the law organizing said Territory, or under any pretended law which may be alleged to have taken effect therein since. That they shall fully investigate and take proof of all violent and tumultuous proceedings in said Territory at any time since the passage of the Kansas-Nebraska act, whether engaged in by residents of said Territory, or by any person or persons from elsewhere, going into said Territory, and doing or encouraging others to do any act of violence or public disturbance against the laws of the United States, or the rights, peace and safety of the residents of said Territory, and for that purpose said committee

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shall have full power to send for and examine and take copies of all such papers, public records and proceedings as in their judgment shall be useful in the premises; and, also, to send for persons and examine them on oath or affirmation as to matters within their knowledge touching the matters of said investigation; and said committee, by their chairman, shall have power to administer all necessary oaths or affirmations connected with their aforesaid duties.

The capital of Kansas Territory had been lawfully established at Lecompton, and at that town the Committee first held meetings, having arrived there on the 18th of April. The work at Lecompton was principally that of making copies of official documents. On the 23rd of April they went to Lawrence and began taking depositions. Later they went to Tecumseh, Leavenworth, Westport, returned to Lawrence, thence to Detroit, New York and Washington. They were engaged in this work for more than four months. They took three hundred and twenty-three depositions. The report made by the committee was published in a large octavo volume, containing 1,206 pages. It is one of the most valuable public documents ever issued by the United States Government. It preserves the particulars of all the troubles in Kansas up to the time of the discharge of the Committee. In no other state has there ever been so complete an investigation of the Territorial period. The report is the foundation of the Territorial history of Kansas. The Committee made two reports. The majority report is as follows:

Your committee report the following facts and conclusions as established by the testimony:

First. That each election in the Territory, held under the organic or alleged Territorial law, has been carried by organized invasion from the State of Missouri, by which the people of the Territory have been prevented from exercising the rights secured to them by the organic law.

Second. That the alleged Territorial legislature was an illegally constituted body, and had no power to pass valid laws, and their enactments are therefore null and void.

Third. That these alleged laws have not, as a general thing, been used to protect persons and property, and to punish wrong, but for unlawful purposes.

Fourth. That the election under which the sitting delegate, John W. Whitfield, holds his seat, was not held in pursuance of any valid law, and that it should be regarded only as the expression of the choice of those resident citizens who voted for him.

Fifth. That the election, under which the contesting delegate, Andrew H. Reeder, claims his seat, was not held in pursuance of law; and that it should be regarded only as the expression of the resident citizens who voted for him.

Sixth. That Andrew H. Reeder received a greater number of votes of resident citizens than John W. Whitfield, for delegate.

Seventh. That in the present condition of the Territory a fair election cannot be held without a new census, a stringent and well-guarded election law, the selection of impartial judges, and the presence of United States troops at every place of election.

Eighth. That the various elections held by the people of the Territory preliminary to the formation of the State government, have been as regular as the disturbed condition of the Territory would allow; and

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that the constitution passed by the convention, held in pursuance of said elections, embodies the will of a majority of the people.

As it is not the province of your committee to suggest remedies for the existing troubles in the Territory of Kansas, they content themselves with the foregoing statement of facts.

All of which is respectfully submitted.

WM. A. HOWARD.
JOHN SHERMAN.

This is the minority report, submitted by Mr. Oliver:

In conclusion, the undersigned begs to report the following facts and conclusions, as he believes, established by the testimony and sanctioned by the law:

First. That at the first election, held in the Territory under the organic act, for delegate to Congress, Gen. John W. Whitfield received a plurality of the legal votes cast, and was duly elected such delegate, as stated in the majority report.

Second. That the Territorial legislature was a legally constituted body, and had power to pass valid laws, and their enactments are therefore valid.

Third. That these laws, when appealed to, have been used for the protection of life, liberty and property, and for the maintenance of law and order in the Territory.

Fourth. That the election under which the sitting delegate, John W. Whitfield, was held, was in pursuance of valid law, and should be regarded as a valid election.

Fifth. That as said Whitfield, at said election, received a large number of legal votes without opposition, he was duly elected as a delegate to this body, and is entitled to a seat on this floor as such.

Sixth. That the election under which the contesting delegate, Andrew H. Reeder, claims his seat, was not held under any law, but in contemptuous disregard of all law; and that it should only be regarded as the expression of a band of malcontents and revolutionists, and consequently should be wholly disregarded by the House.

Seventh. As to whether or not Andrew H. Reeder received a greater number of votes of resident citizens on the 9th than J. W. Whitfield did on the 1st of October, 1855, no testimony was taken by the committee, so far as the undersigned knows, nor is it material to the issue.

All of which is respectfully submitted.

M. OLIVER.

Acting on this report, the Committee on Contested Elections brought in a resolution to deprive Mr. Whitfield of his seat and to admit Mr. Reeder. This measure was lost by a vote of 196 nays to 3 yeas. The question was then divided. On August 4th, the vote to oust Whitfield was passed by 110 to 92. The resolution to admit Mr. Reeder failed by a vote of 113 to 88. Thus, neither of the contestants gained the seat.

The taking of the testimony in Kansas by the Committee, created an intense feeling in Pro-Slavery circles. The suppressed excitement came near breaking forth into open hostilities upon more than one occasion.

AN APPEAL TO PRESIDENT PIERCE

The Free-State Legislature, was, as has been seen, in session at Topeka during the winter. It was the directing body of the Free-

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State cause, and was at all times well informed as to the movements of the Missourians in the border counties. The presence of armed parties in the inhabited parts of the Territory, and the preparations being carried forward in the border counties of Missouri, kept the Free-State men disturbed and uneasy. They regarded it as inevitable that an invasion of Kansas would be undertaken by the Border-Ruffians as soon as the weather would permit, should nothing be interposed to prevent it. Wishing to remain unmolested and to carry forward their work in peace, they appealed to President Pierce. They informed him of their fears of an invasion, and requested him to use the United States troops to prevent it. Here is the appeal:

LAWRENCE, K. T., JAN. 21, 1856.

The Free State Leaders—to Franklin Pierce, President of the United States.

Sir: We have authentic information that an overwhelming force of the citizens of Missouri are organizing upon our border, amply supplied with artillery, for the avowed purpose of invading this Territory, demoralizing our towns and butchering our unoffending Free State citizens. We respectfully demand, on behalf of the citizens of Kansas, that the commandant of the United States troops in this vicinity be immediately instructed to interfere to prevent such an inhuman outrage.

Respectfully,

J. H. LANE, Chairman Ex. Committee K. T.
C. ROBINSON, Chairman Ex. Committee of Safety.
J. R. GOODIN, Secretary Ex. Committee K. T.
GEORGE W. DEITZER, Secretary Committee of Safety.

Two days later another communication was forwarded to President Pierce, as follows:

LAWRENCE CITY, JAN. 23, 1856.

The Free State Leaders—To the President of the United States.

Sir: We notified you that an overwhelming force, supplied with artillery, was organizing upon our borders for the avowed purpose of invading Kansas, demoralizing the towns and butchering the unoffending Free State citizens, they constituting fourteen-twentieths of the entire population. In addition to the relief respectfully demanded in that notice, we earnestly request you to issue your proclamation immediately, forbidding the invasion. We trust there may be no delay in taking so important a step to prevent an outrage which, if carried out as planned, will stand forth without a parallel in the world's history.

Yours respectfully,

J. H. LANE, Chairman Ex. Committee K. T.
C. ROBINSON, Chairman Committee of Safety.

In response to these appeals the President issued a proclamation. This proclamation was against all persons who were doing anything against the public tranquillity and the supremacy of law in Kansas Territory. It affirmed that there were combinations within the Territory endeavoring to induce individual states of the Union to interfere in the affairs thereof. The President pronounced this insurrection. He warned all persons engaged in these unlawful combinations against the constituted authority of the Territory of Kansas or of the United

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States to disperse and retire peaceably to their respective places of abode. The citizens of adjoining states and of distant states were called on to abstain from intermeddling in the local concerns of the Territory. His proclamation was aimed as much at the Free-State men as at the Pro-Slavery men.

On the 16th of February, W. L. Marcy, Secretary of State, sent a communication to Governor Shannon in which he said that the President was unwilling to believe that it would be necessary to call in the aid of the United States troops, but if it should become indispensable in order to execute the laws and to preserve the peace, he was authorized by the President to make requisition upon the officers commanding at Fort Leavenworth and Fort Riley. It was enjoined on him that he have the proclamation of the President publicly read before taking any action to invoke the military.

Jefferson Davis, Secretary of War, sent an order to the officers at Fort Leavenworth and Fort Riley, directing them to respond to any requisition for troops made on them by Governor Shannon.

In this appeal to the President, the Free-State party gained nothing and strengthened the hands of the Governor. Their condition was rendered worse, rather than made better. It caused the Government to arm the Pro-Slavery forces with authority to use the military. The circumstances under which troops were to be used was left to the discretion of Governor Shannon. His position was well known. He had lost ground in the estimation of the Border-Ruffians by his action at Lawrence when he negotiated the peace in the early days of December. It was to be expected that he would be a more pliant instrument in the hands of the Border-Ruffians in order to reinstate himself in their good graces. This is exactly what did develop. The attempt of the Free-State men to ameliorate their condition by an appeal to Federal authorities, making representation of the conditions existing on the border, had resulted much to their detriment.

Sheriff Jones

We have seen that Sheriff Jones sought to have Lane and Robinson commit themselves in his interest in the matter of writs he held against Free-State men. During the winter he was frequently in and about Lawrence, always furtively looking out for an opportunity to bring on a collision. On the 19th of April, being in Lawrence, he arrested S. N. Wood upon the old warrant issued against him for his part in the rescue of Branson. Wood had always maintained that he was willing to submit to arrest to test the constitutionality of the bogus Legislature in the Courts, but it turned out that he was not willing to do so. When the test came he flinched. When Jones arrested him, the two were immediately surrounded by a crowd of Free-State men, who pretended that the arrest of Wood was a joke. In this spirit they stole the pistol of the sheriff and jostled Jones while Wood escaped. The enraged Sheriff repaired to Lecompton where he summoned a posse of four men. With

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these he returned to Lawrence on Sunday, the 20th. At Lecompton he had made an addition to his stock of warrants, having now a number against those who had assisted Wood to escape. The people of Lawrence were on the way to church when Jones rode into the town. He summoned some of the men to assist in arrests he contemplated making, but no attention was given him. S. F. Tappan, appearing on the street, Jones remembered the old warrant carried for him for aiding in the Branson rescue. He immediately pounced on Tappan. The violence with which Jones seized Tappan angered him, and he immediately struck the Sheriff. That was enough. Jones mounted his horse, and he and his posse left town. He was heard to mutter the threat that "having been resisted in the discharge of his duty, he would bring in the troops and the arrests should be made. He had now some forty names in his possession against whom warrants should be served." He returned to Lecompton and laid the matter before the Governor. He explained the resistance offered at Lawrence, and demanded a military force to enable him to execute his warrants there. Governor Shannon, remembering the instructions of Jefferson Davis, immediately made a requisition on Colonel Sumner at Fort Leavenworth for an officer and six men to act as a posse for Sheriff Jones in executing his writs. With this request Colonel Sumner immediately complied, sending a detachment of ten men under Lieutenant McIntosh. At the same time Colonel Sumner wrote to the Mayor of Lawrence:

HEADQUARTERS, 1ST CAVALRY,
FORT LEAVENWORTH, APRIL 22, 1856.

Sir: A small detachment proceeds to Lecompton this morning on the requisition of the Governor, under orders of the President, to assist the Sheriff of Douglas County in executing several writs, in which he says he has been resisted. I know nothing of the merits of the case and have nothing to do with them. But I would respectfully impress upon you and others in authority the necessity of yielding obedience to the proclamation and orders of the General Government. Ours is emphatically a government of laws, and if they are set at naught, there is an end of all order. I feel assured that on reflection you will not compel me to resort to violence in carrying out the orders of the Government. I am, sir, very respectfully your obedient servant,

E. V. SUMNER,
Colonel First Cavalry, Commanding.

To the Mayor of Lawrence.

Thus reinforced, Sheriff Jones went to Lawrence on the 23d of April, where he arrested six men on a charge of contempt for failure to obey his summons and act in his posse when previously in Lawrence. He confined his prisoners in a small room where they were guarded by dragoons. A search was made for S. N. Wood, but he could not be found. It was the intention of Jones to make other arrests. Not being able to immediately find all the parties for whom he had warrants, he remained in Lawrence the night of the 23d. He stopped in the tent of Lieutenant McIntosh. The occurrences of the day had caused much feeling in Lawrence, and Jones had been denounced, and probably jeered on the streets.

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Early in the evening Lieutenant McIntosh, Jones, and another man, went a little distance from the tent to get some water. While there they were accosted by a number of persons who inquired where Sheriff Jones was, and who made some remarks derogatory to the courage of the Sheriff. Jones answered, "Here I am, gentlemen," and was immediately fired on, but not hit. The bullet cut through his trousers. Whereupon Jones and his party returned to the tent. A man acting as though drunk, came in soon thereafter. He took a seat, but was ordered out of the tent. It was afterwards supposed that this man came in to ascertain the position of Jones in the tent. In a few minutes after he departed two shots were heard, and Jones fell forward to the ground. He drew his revolver and attempted to rise, but was unable to do so. The last shot fired entered the Sheriff's back, injuring the spine. And from this injury the Sheriff was partly paralyzed for the remainder of his life. It was soon told abroad that Jones had been assassinated in Lawrence. Messages flew over the border to this effect.

The shot was fired by James N. Filer, a young man from New York. He had borrowed the revolver from B. W. Woodward, his room-mate at that time. When he returned it he said he had shot Jones. When the consequences of his act were likely to be disagreeable, he denied having shot Jones and having said so. He soon returned to New York. It was long said that Charles Lenhart, present then in Lawrence, a violent Free-State man and agitator, had fired the shot which wounded Jones. It is not known who fired the shot at Jones when he was at the well. The fact that shots were fired at Jones at two different times seems to be established on the statements of Thomas N. Crowder and William I. Preston made at Lecompton on the 24th of April, and published in the *Missouri Republican* the 6th of May. It was at first believed the wound of Sheriff Jones was mortal. He was taken into a hotel and Dr. Stringfellow was summoned.

This unfortunate circumstance was greatly to the detriment of the Free-State party. On the morning of the 24th a meeting of the citizens of Lawrence was called to consider the matter. The meeting was addressed by Reeder, Robinson, and other Free-State men. All denounced the act. Resolutions to this effect were passed. These resolutions said that the act was "unexpected and unlooked for by the community, and unsustained by any portion of them," that "we deeply sympathize with the wounded man, and will afford him all the aid and comfort in our power;" "that a committee of five be appointed whose duty it shall be to investigate the circumstances connected with this deplorable occurrence, and, if possible, to ferret out the guilty agent." The Committee of Safety offered a reward of $500 for the apprehension of the assassin.

Sam Salters became Sheriff upon the disability of Jones. He immediately made efforts to serve the warrants. In the excited state of the public mind, the Free-State men feared to submit to arrest. They kept out of the way. Their homes were searched, but none of them were found. The shooting of Jones brought Colonel Sumner upon the scene. On the 27th of April he addressed a communication to Charles Robinson.

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HEADQUARTERS FIRST CAVALRY, CAMP NEAR LAWRENCE,
APRIL 27, 1856.

Sir—As there are no municipal officers in the town of Lawrence, I think proper to address you before returning to my post. The recent attempt made upon the life of Sheriff Jones will produce great excitement throughout the Territory and on the Missouri frontier, and I consider it of the utmost importance that every effort should be made by your people to ferret out and bring to justice the cowardly assassin. It is not too much to say that the peace of the country may depend on it, for, if he is not arrested, the act will be charged by the opposite party upon your whole community. This affair *has been reported to Washington,* and whatever orders may be received will be instantly carried into effect. The proclamation, which requires obedience to the laws of the Territory *as they now stand* until legally abrogated, will certainly be maintained, and it is very unsafe to give heed to people at a distance who counsel resistance. If they were here to participate in the danger, they would probably take a different view of this matter.

I am, sir, very respectfully, your obedient servant,

E. V. SUMNER,
Colonel First Cavalry Commanding.

To Mr. Charles Robinson.

To this letter, Robinson made reply:

LAWRENCE, K. T., APRIL 27, 1856.

Sir: Your note of this morning is received, and in answer permit me to say that the cowardly attack upon Mr. Jones receives no countenance whatever from the citizens of Lawrence, but, on the contrary, meets with universal condemnation, and if the guilty party can be found, he will most certainly be given over to justice. It is and has been the policy of the people of Lawrence to yield prompt obedience to the laws and officers of the Federal Government, and as Mr. Jones was acting with the authority of that Government on the day of the assault, the guilty party was an enemy to the citizens of Lawrence, no less than a violator of the laws. The people of Lawrence are without any organized municipal government, and consequently no person or persons can speak or act officially for them, but from what I know of their feelings and disposition, I have no hesitation in saying that they will ever be found loyal citizens of the Government and ready to do all in their power to maintain the laws of their country.

As an evidence of the public sentiment of this community, I inclose a copy of the proceedings of a public meeting held on the morning after the unfortunate affair occurred.

Very respectfully your obedient servant,

CHARLES ROBINSON.

Col. E. V. Sumner.

Whitfield was at that time in Lawrence in attendance upon the session of the Committee of Investigation. He became fearful that his own life was in danger. He urged the Committee to adjourn and to abandon the investigation altogether, saying that its work was at an end. He fled to Franklin in hope that the Committee would act on his suggestion. In this he was disappointed, and later he attended upon the meetings.

Pardee Butler, who had been tarred and feathered at Atchison, and put on a raft in the Missouri River to drown, or to escape if he could, was again seized and outrageously treated, and given another coat of tar.

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No Free-State man was permitted to appear on the streets of Atchison. The feeling in that town was only an index of that along the border. Distorted stories of the conditions in the Territory were spread broadcast. The Law and Order party in Kansas entered upon a system of outrages on Free-State people. On the 28th of April, J. N. Mace, who had been examined by the Committee of Investigation, was attacked in his house, near Bloomington, and dangerously wounded. Other Free-State men in the vicinity were assaulted. It was probably too much to expect that Governor Shannon would take any notice of these outrages on Free-State people. No effort to discover the perpetrators was made by the Territorial authorities. It had been the hope of the Border-Ruffians to bring on some collision of the Free-State men with the military forces of the United States. This had failed. With the exception of the wounding of Sheriff Jones by irresponsible persons acting for themselves alone, the Free-State men submitted to these outrages without any attempt at reprisal, and without taking any adequate measures for defense.

Constructive Treason

All efforts of the Executive to involve the Free-State people of Kansas in a conflict with the United States having failed, recourse was had to the Judicial Department of the Territorial Government. On the 5th of May, Judge Lecompte delivered instructions to a grand jury at Lecompton. From that part of his charge relating to conditions in Kansas Territory, this is taken:

> This Territory was organized by an act of Congress, and so far its authority is from the United States. It has a Legislature elected in pursuance of that organic act. This Legislature, being an instrument of Congress, by which it governs the Territory, has passed laws. These laws, therefore, are of United States authority and making, and all who resist these laws resist the power and authority of the United States, and are therefore guilty of *high treason.*
>
> Now, gentlemen, if you find that any person has resisted these laws, then you must, under your oaths, find bills against them for *high treason.* If you find that no such resistance has been made, but that combinations have been formed for the purpose of resisting them, and individuals of notoriety have been aiding and abetting in such combinations, then must you find bills for *constructive treason.*

Acting upon these instructions, the grand jury began to examine witnesses preliminary to the indictment of the leading Free-State men of the Territory for high treason. James F. Legate, of Leavenworth, was a member of the grand jury. He was a Free-State man. He believed it was not inconsistent with his oath as a juryman to let the principal Free-State men know what was contemplated by the grand jury. He went at night to the house of Judge Wakefield. From thence he rode to Tecumseh, where depositions were being taken by the Investigating Committee. Finding Robinson there, he told him what was transpiring in the room of the grand jury. Legate was late in his attendance upon

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the jury the next day, but managed to find a plausible excuse and was only reprimanded by the Judge.

Within a day or two, Deputy Marshal Fain served a summons on Reeder, who was attending sessions of the Investigating Committee, requiring him to appear as a witness before the grand jury. Reeder refused to obey this summons on the ground that he was a member of Congress, and other grounds. On the following day the Marshal came with a warrant for Reeder for contempt of Court. He declined to respond to this writ on the grounds of informality in the writ of attachment itself; his privileges as a member of Congress; and his belief in the insecurity of his person and life in case he should obey. He appealed to the Investigating Committee for protection, but got no help from that body. He wrote a letter to Judge Lecompte offering to appear before the jury if his personal safety could be guaranteed. The Chief Justice said that the matter had gone out of his hands, which was equivalent to saying that no protection could be furnished. Reeder became alarmed, believing his life in danger. When the committee adjourned to meet at Leavenworth, he fled to Kansas City. The Law and Order party determined to prevent his leaving the Territory. At Kansas City he remained hidden in the American Hotel, then conducted by S. W. Eldridge, a Free-State man, for several days. Later he disguised himself and was taken by Thomas B. and Edward Eldridge down the Missouri River in a skiff at night. He was garbed as a wood-chopper. At Liberty Landing he boarded a steamboat going down the Missouri, taking deck passage. At St. Charles he left the boat and went across the country to Illinois.

Governor Robinson came to believe his life in danger. Both he and Reeder were summoned before the grand jury, sitting at Lecompton. Both refused to obey the summons. Attachments to compel them to attend were issued. Reeder defied the Marshal and invoked the aid of the Investigating Committee. Sherman and Howard sustained him. When the Marshal advanced to arrest him, Reeder warned him that he did so at the peril of his life. Knowing that Reeder was at bay and would defend himself desperately, the Marshal hesitated, and finally concluded to desist at that time. This occurred at Lawrence. Robinson had no such defense as that of Reeder. The Marshal was jeered by Free-State men when he backed down before the determined stand of Reeder. Robinson kept out of the way. The Marshal could not find him. Both he and Reeder determined to leave the Territory. As a plausible cause for his departure, it was decided to arm Robinson with some of the testimony taken by the Investigating Committee. This he could exhibit to friendly members of Congress and others in Washington. This was in violation of right. The Committee had no authority to favor either side, and should not have given out what had been collected without the consent of both parties to the contest.

Thus equipped Robinson left Kansas. And Reeder could have carried the evidence to Eastern friends. There was, in fact, no necessity for both Reeder and Robinson to go East on this errand or business. One of them would have been enough. But times in Kansas, in those

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years, developed crises dangerous to all. Pro-Slavery Territorial Governors found it necessary at times to get out of Kansas. So, the matter of carrying up to Washington a brief of the testimony taken by the Investigating Committee was made an excuse for Governor Robinson to flee the Territory and evade arrest on the warrant carried by Marshal Donalson for his apprehension for contempt of the U. S. District Court, sitting then at Lecompton. Writing from Westport, May 11, 1856, the correspondent of the *Missouri Republican* said:

Yesterday, the United States Marshal attempted to arrest Reeder and Robinson for contempt of Court, and they swore they would not be taken, and were defended by the rebels who do their bidding. Last week they were summoned by Judge Lecompte, United States Judge, to appear

THE ARREST OF GOVERNOR ROBINSON BY MARSHAL DONALSON

[From *Merrill's History of Kansas,* Cincinnati, 1856]

before the Grand Jury of Lecompton; but they refused to appear, and it was for this contempt that they were to be arrested.

The following day the correspondent sent this:

Robinson and Reeder being summoned before the Grand Jury, refusing, and having got in a tight place, fled. Robinson passed down Saturday, but an eye or two being on him, he got no further than Lexington, where he is locked up, awaiting the requisition of Governor Shannon.

On the 13th the same paper had this concerning the situation as affecting Reeder and Robinson:

It is the determination of Judge Lecompte that offenders shall be brought to justice, and writs have accordingly been issued for Robinson, Reeder and about seventy-five or one hundred others, either to appear before the grand jury to testify, or to appear at Court for trial.

The *Republican* correspondent was in error as to his dates. And it is doubtful whether Robinson could have been found at all by Marshal

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Donalson after the issuance of the warrant for his arrest. He, with his wife, set out from Lawrence on the 8th of May.

At Lexington he was recognized, arrested, and taken from the steamboat. There they charged that he was running away from arrest in Kansas. Robinson replied that even if he were running away, he could see no grounds for another State to interfere. He remained a prisoner for one week at Lexington, when he was returned to Kansas on a requisition from Governor Shannon. This requisition was based on the indict-

SAMBO ARRESTING G. W. BROWN

[From *Merrill's History of Kansas*, Cincinnati, 1856]

ment for treason, not contempt of court. He arrived at Leavenworth on the 24th of May and was put in charge of Captain Martin, of the Kickapoo Rangers, who held him in custody until the 1st of June. At that time he was taken to Lecompton, where he was imprisoned until the 10th of September when he was released on $5,000 bail.

The grand jury returned indictments for high treason against Andrew H. Reeder, Charles Robinson, James H. Lane, George W. Brown, George W. Deitzler, George W. Smith, Samuel N. Wood and Gaius Jenkins. It also returned indictments against the Free-State hotel in Lawrence, and the two Free-State newspapers published there, as the report shows:

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The grand jury, sitting for the adjourned term of the first district court in and for the county of Douglas, in the Territory of Kansas, beg leave to report to the honorable court that from evidence laid before them, showing that the newspaper known as the Herald of Freedom, published at the town of Lawrence, has from time to time issued publications of the most inflammatory and seditious character, denying the legality of the territorial authorities, addressing and commending forcible resistance to the same, demoralizing the popular mind, and rendering life and property unsafe, even to the extent of advising assassination as a last resort.

Also, that the paper known as the Kansas Free State has similarly engaged, and has recently reported resolutions of a public meeting in Johnson county, in this Territory, in which resistance to the territorial laws even unto blood has been agreed upon; and that we respectfully recommend their abatement as a nuisance.

Also, that we are satisfied that the building known as the Free State Hotel, in Lawrence, has been constructed with the view to military occupation and defence, regularly parapeted and port-holed for the use of cannon and small-arms, and could only have been designed as a stronghold of resistance to law, thereby endangering the public safety and encouraging rebellion and sedition in this country, and respectfully recommend that steps be taken whereby this nuisance may be removed.

OMER C. STEWART, *Foreman.*

So tense became the situation that another appeal to Governor Shannon was made. This was done at the suggestion of Colonel Sumner, who was then at Lawrence. On the 11th of May, a letter in the form of a preamble and resolutions adopted at a meeting on the 10th, was sent to Governor Shannon:

WHEREAS, We have most reliable information from various parts of the Territory, and the adjoining State of Missouri, of the organization of guerrilla bands, who threaten the destruction of our town and its citizens; therefore,

Resolved, That Messrs. Topliff, Hutchinson and Roberts, constitute a committee to inform His Excellency of these facts, and to call upon him in the name of the people of Lawrence, for protection against such bands, by the United States troops at his disposal.

On the 12th the following reply was received:

EXECUTIVE OFFICE

LECOMPTON, KANSAS, MAY 12, 1856.

Gentlemen: Your note of the 11th is received, and in reply I have to say that there is no force around or approaching Lawrence, except the legally constituted posse of the United States marshal and sheriff of Douglas county, each of whom, I am informed, have a number of writs in their hands for execution against persons now in Lawrence. I shall in no way interfere with either of these officers in the discharge of their official duties. If the citizens of Lawrence submit themselves to the territorial laws and aid and assist said marshal and sheriff in the execution of processes in their hands, as all good citizens are bound to do when called on, they, or all such, will entitle themselves to the protection of the law. But so long as they keep up a military or armed force to resist the territorial laws, and the officers charged with their execution, I shall not interfere to save them from the legitimate consequences of their illegal acts.

I have the honor to be yours with great respect,

WILSON SHANNON.

Messrs. C. W. Topliff, John Hutchinson and W. Y. Roberts.

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On the same day the proclamation of I. B. Donalson was brought to the attention of the people of Lawrence. This proclamation had been sent to all the border towns several days before the Free-State people of Lawrence knew anything of its existence.

PROCLAMATION

To the People of Kansas Territory

Whereas, Certain judicial arrests have been directed to me by the First District Court of the United States, etc., to be executed within the county of Douglas, and whereas an attempt to execute them by the United States Deputy Marshal was evidently resisted by a large number of the people of Lawrence, and as there is every reason to believe that any attempt to execute these writs will be resisted by a large body of armed men; now, therefore, the law-abiding citizens of the Territory are commanded to be and appear at Lecompton, as soon as practicable, and in numbers sufficient for the execution of the law.

Given under my hand this 11th day of May, 1856.

I. B. Donalson,
United States Marshal of the Territory of Kansas.

P. S.—No liability for expenses will be incurred by the United States until its consent is obtained.

The Law and Order party, in connection with the Border-Ruffians, were planning another attack on Lawrence. This proclamation was only a part of the well-laid plan. Missourians began to assemble along the Wakarusa two days before the date of the proclamation. They waylaid travelers, robbed teamsters, stole horses and cattle, and initiated a reign of lawlessness and terrorism. Anarchy existed in Kansas. The condition of the people of Lawrence was critical in the extreme. General Lane had gone East in March at the direction of the Free-State Legislature, and was then laying the cause of Kansas before the people of the North. Robinson was a prisoner. Other leaders were being sought by Salters and Fain. In this extremity the people determined to make one more appeal to Governor Shannon. A mass convention was called at Lawrence on the 13th which adopted a preamble and resolutions. Copies were immediately forwarded to Governor Shannon and Marshal Donalson.

This harsh and partisan letter from the Governor, under such circumstances, could not be regarded as anything short of a declaration of war.

As the citizens of Lawrence were anxious to avert troubles, if possible, a meeting was held and the following action taken:

Whereas, By a proclamation to the people of Kansas Territory, by J. B. Donaldson, United States Marshal for said Territory, issued on the 11th day of May, 1856, it is alleged that certain judicial writs of arrest have been directed to him by the First District Court of the United States, etc., to be executed within the county of Douglas, and that an attempt to execute them by the Deputy United States Marshal was violently resisted by a large number of the citizens of Lawrence, and that there is every reason to believe that an attempt to execute said writs will be resisted by a large body of armed men, therefore,

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Resolved, By this public meeting of the citizens of Lawrence, held this 13th day of May, 1856, that the allegations and charges against us, contained in the aforesaid proclamation, are wholly untrue in fact, and in the conclusion which is drawn from them. The aforesaid Marshal was resisted in no manner whatever, nor by any person whatever, in the execution of said writs, except by him whose arrest the said Deputy Marshal was seeking to make. And that we now, as we have done heretofore, declare our willingness and determination, without resistance, to acquiesce in the service upon us, of any judicial writs against us, by the United States Marshal for Kansas Territory, and *will furnish him with a posse* for that purpose, if so requested; but that we are ready to resist, if need be, unto death, the ravages and desolation of an invading mob.

J. A. WAKEFIELD, *President.*

The Border-Ruffians continued to arrive in the vicinity of Lawrence. Atchison came with his Platte County Rifles and two pieces of artillery. Captain Dunn appeared with his Kickapoo Rangers, which had been augmented by recruits from Platte County, Missouri. The Stringfellow brothers, Robert Kelly and P. T. Able were in command of the Law and Order forces from Atchison and from Buchanan County, Missouri. Colonel Warner D. Wilkes, of South Carolina, and Colonel Titus, of Florida, were present in command of forces from their respective states. Four hundred men were at Franklin under the command of Colonel Boone of Westport, and Colonel Jefferson Buford. These were the emigrants who had come into the Territory early in the spring as the result of the efforts of Atchison, Buford, and others. Those having no arms were furnished guns by Governor Shannon from the United States Armory at Lecompton. These forces lived off the country, robbing the settlers of supplies of food and of live-stock.

On the 13th of May another meeting of the citizens of Lawrence was held. The resolutions passed were similar to those of the former meeting. These, together with a letter signed by three of the leading citizens, were sent to Marshal Donalson by a Pro-Slavery resident of Lawrence. The letter and Donalson's reply are here shown.

LAWRENCE, MAY 14, 1856.

I. B. Donalson, United States Marshal for Kansas Territory.

Dear Sir—We have seen a proclamation issued by yourself, dated 11th of May inst., and also have reliable information this morning that large bodies of armed men, in pursuance of your proclamation, have assembled in the vicinity of Lawrence.

That there be no misunderstanding, we beg leave to ask respectfully, that we may be reliably informed what are the demands against us. We desire to state most truthfully and earnestly, that no opposition will, now or at any future time, be offered to the execution of any legal process by yourself or any person acting for you. We also pledge ourselves to assist you, if called upon, in the execution of any legal process.

We declare ourselves to be order-loving and law-abiding citizens, and only await an opportunity to test our fidelity to the laws of the country, the Constitution and the Union.

We are informed, also, that these men collected about Lawrence, openly declare that their intention is to destroy the town, and drive off the citizens. Of course, we do not believe that you would give any

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countenance to such threats; but, in view of the excited state of the public mind, we ask protection of the constituted authorities of the Government, declaring ourselves in readiness to co-operate with them for the maintenance of the peace, order and quiet of the community in which we live.

Very respectfully,

ROBERT MORROW,
LYMAN ALLEN,
JOHN HUTCHINSON.

(Reply)

OFFICE OF THE UNITED STATES MARSHAL

LECOMPTON, K. T., MAY 15, 1856.

Messrs. G. W. Deitzler and J. H. Green, Lawrence, Kansas Territory.

On yesterday, I received a communication addressed to me, signed by one of you as President, and the other as Secretary, purporting to have been adopted by a meeting of the citizens of Lawrence, held on yesterday morning. After speaking of a proclamation, issued by myself, you state, "That there may be no misunderstanding, we beg leave to ask respectfully, that we may be reliably informed what are the demands against us. We desire most truthfully and earnestly to declare that no opposition whatever, will now, or at any future time, be offered to the execution of any legal process, etc."

From your professed ignorance of the demands against you, I must conclude that you are *strangers*, and not *citizens*, of Lawrence, or of recent date, or been absent for some time; more particularly when an attempt was made by my deputy to execute the process of the First District Court of the United States for Kansas Territory, against ex-Gov. Reeder, when he made a speech in the room and in the presence of the Congressional Committee, and denied the power and authority of said court, and threatened the life of said deputy, if he attempted to execute said process, which speech and defiant threats were loudly applauded by some one or two hundred of the citizens of Lawrence, who had assembled at the room on learning the business of the Marshal, and made such hostile demonstrations that the deputy thought he and his small posse would endanger their lives in executing said process.

Your declaration that you will truthfully and earnestly offer now, or at any future time, no opposition to any legal process, etc., is indeed difficult to understand. May I ask, gentlemen, what has produced this wonderful change in the minds of the people of Lawrence? Have their eyes been suddenly opened, so that they are now able to see that there are laws in Kansas Territory which should be obeyed? Or, is it that just now, those for whom I have writs, have sought refuge elsewhere? Or, it may possibly be that you now, as heretofore, expect to screen yourselves behind the word "legal," so significantly used by you. How am I to rely on your pledges, when I am well aware that the whole population of Lawrence is armed and drilled, and the town fortified—when, too, I recollect the meetings and resolutions adopted in Lawrence and elsewhere in the Territory—openly defying the laws and the officers thereof, and threatening to resist the same to a bloody issue, as recently verified in the attempted assassination of Sheriff Jones, while in the discharge of his official duties in Lawrence? Are you strangers to all these things? Surely you must be strangers in Lawrence. If no outrages have been committed by the citizens of Lawrence against the laws of the land, they need not fear any posse of mine. But I must take the liberty of executing all processes in my hands as United States Marshal, in my own time and manner, and shall only use such power as is authorized by law. You

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say you call upon the constituted authorities for protection. This indeed sounds strange, coming from a large body of men, armed with Sharpe's rifles, and other implements of war, bound together by oaths and pledges, to resist the Government they call on for protection. All persons in Kansas Territory—without regard to location—who honestly submit to the constituted authorities, will ever find me ready to aid in protecting them; and who seek to resist the laws of the land, and turn traitors to their country, will find me aiding in enforcing the laws, if not as an officer, as a citizen. Respectfully yours,

I. B. DONALSON, *U. S. Marshal Kansas Territory.*

The condition in Lawrence on the 16th of May is well described by the *Herald of Freedom:*

Outrage follows outrage with frightful rapidity. The list is swelling. Every day some new crime is brought to light which equals in enormity its predecessors. The reign of terror has commenced. The bowie-knife and revolver, the hatchet and hempen rope are the instruments brought into requisition to awe, intimidate, and crush out the liberty-loving portion of our fellow-citizens. Stealthily assassins roam over the country, under cover of the night, dogging the footsteps of unsuspecting citizens, and watching the opportune moment to strike the cowardly blow. Men, known of men to be murderers, walk unabashed, unwhipped of justice, in the very presence of the shameless officers of misnamed law, boldly and boastingly proclaiming their complicity in crime. No man's life is safe from one day to another if he has declared, never so mildly, his opposition to the aggression of slavery. And if he has come out openly and manfully in the defence of his inalienable rights he is hunted down like a wild beast. He must flee the land. No place here is safe from the intrusion of the bloodhounds. He must run the gauntlet in Missouri before he can reach a place of safety on soil free from the curse and unsubdued by the blighting rule of oppression.

The hue and cry is now raised against Governor Robinson and Senator Reeder. "Kill them! Kill them!" is in the throats of every brawler who goes unhung in Kansas. Their movements are watched, their goings out and comings in carefully noted, and they are forced to seek a place of safety in the free States. Thus it is the people of Kansas are environed by bloodthirsty foes and hostile bands. As affairs are working now, no earthly power can prevent a bloody collision. If it *must* come, the sooner we have whipped out our enemies, the sooner will quiet be restored to the country. Human patience cannot long endure this system of terrorism and persecution. If we can secure quietude in no other way than by fighting for it, surely it were infinitely better that we pass through a sanguinary struggle than be made slaves.

The people of Lawrence made every effort to avoid the disaster hanging over them. The Congressional Committee, then in session at Leavenworth, being urged to take some action in their behalf, declined. Shannon had sent Colonel Sumner back to Leavenworth. He was requested by the people of Lawrence, to come to their rescue, but he had no authority to do so. On the 18th of May, S. W. and T. B. Eldridge, who had leased the Free-State hotel, went to the Border-Ruffian camp and proposed that if Governor Shannon would order Colonel Sumner to return to Lawrence and camp there, every gun in the city should be surrendered and held by the United States troops until all the writs

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had been served. They were arrested on their way to Lecompton by Ruffians under command of Stringfellow. When they were finally permitted to see the Governor, he told them that the South Carolinians would accept nothing but the surrender of all arms to himself or Marshal Donalson. He declined to order Colonel Sumner to Lawrence. In remonstrating with the Governor over the terms he proposed, the gentlemen expressed fears that the people would fight rather than submit to such humiliation. To this Shannon said, "War, then, by G—d," and left the room.

On the 19th the Marshal's posse murdered a Free-State boy named Jones. They met him near Blanton's bridge, as he was returning home. He was carrying a bag of meal for bread for his widowed mother and himself. Coming upon him one of the Marshal's force shot him. He exclaimed, "Oh, my God, I am shot," and fell dead. When this was told in Lawrence, two of his companions started out to find the body. Two men from the Border-Ruffian camp at Franklin met them, insulted them, and finally fired upon them, killing one of them named Stewart, whose bloody corpse was carried into Lawrence. Indignation and excitement resulted. A company of boys was formed, which immediately left for Lawrence to attack the Border-Ruffians. So rash a movement was stopped by the Committee of Safety.

On the evening of the 20th, Deputy Marshal Fain made two arrests in Lawrence. He was not opposed. At that time the people would have aided him in making arrests of any persons for whom he had warrants regularly issued. But it was not the intention to let this matter be settled in so peaceful a manner. Lawrence was surrounded by about eight hundred Border-Ruffians. During the night of the 20th they assembled on Mount Oread. They were well informed as to the conditions existing in Lawrence, and were satisfied that no resistance would be offered by the town.

On Wednesday morning, the 21st of May, the people of Lawrence beheld, encamped on Mount Oread, the eight hundred men who had been gathering for weeks to destroy their city. The Committee of Safety, having been unable to come to any agreement with Governor Shannon or Marshal Donalson, had determined that no resistance should be made. The women and children were sent to the ravine at the mouth of which lay the Lane-Jenkins contested claim. It was expected that the Border-Ruffians would burn the town.

About 11 o'clock Fain rode down from Mount Oread with a guard of ten men. He summoned a small posse from the citizens. These obeyed the summons. He then arrested G. W. Deitzler, Gaius Jenkins and Geo. W. Smith. It was by that time noon. Fain and his guard dined at the Free-State Hotel, which was open to the public on that day for the first time. They did not pay for the dinner. Having no further business to transact in Lawrence, the Marshal returned to the camp of the Ruffians on the hill. He had been handed a letter written by the Committee of Safety, saying that the citizens would acknowledge the

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constituted authorities of the Government and make no resistance to the laws, National or Territorial.

LAWRENCE, K. T., MAY 21, 1856.

I. B. Donalson, United States Marshal Kansas Territory:

We, the Committee of Public Safety for the citizens of Lawrence, make this statement and declaration to you, as Marshal of Kansas Territory:

That we represent the citizens of the United States and of Kansas, who acknowledge the constituted authorities of the Government, that we make no resistance to the execution of the law—National or Territorial—and claim it as law-abiding American citizens.

For the private property already taken by your posse, we ask indemnification, and what remains to us and our citizens we throw upon you for protection, trusting that under the flag of the Union, and within the folds of the Constitution, we may obtain safety.

SAMUEL C. POMEROY,
W. Y. ROBERTS,
LYMAN ALLEN,
JOHN PERRY,
C. W. BABCOCK,
S. B. PRENTISS,
A. H. MALLORY,
JOEL GROVER.

When Marshal Fain returned to the headquarters of the Border-Ruffian force on Mount Oread with his prisoners, he dismissed his guard, saying: "Sheriff Jones has writs yet to be served, and you are at liberty to organize as his *posse* if any desire to do so." Sheriff Jones was not recovered from his wounds, but was able to ride his horse. He now came forward and was greeted with enthusiastic cheers. Selecting twenty armed men as a guard, he rode into Lawrence. He halted in front of the Free-State Hotel and called for some representative of the people to come forth. S. C. Pomeroy went out and was greeted by Jones in a friendly way. The two shook hands. Jones demanded that the citizens give up their arms, allowing five minutes for decision on that demand. Pomeroy said that the arms of the citizens could not be given up, as that was an individual matter, but that he would surrender the cannon under control of the Committee. The cannon had been concealed under Blood's Hardware Store. Pomeroy led Jones and his company to that building and tore out the foundation wall, when the cannon was revealed. He turned it over to Jones.

The main force of the Border Ruffians were a long time coming down from Mount Oread. They finally descended to the plain. It was about three o'clock. When they had all assembled at the point where the Court House now stands, Atchison made them the following speech:

Boys, this day I am a Kickapoo Ranger, by God! This day we have entered Lawrence with "Southern Rights" inscribed upon our banner, and not one damned Abolitionist dared to fire a gun. Now, boys, this is the happiest day of my life. We have entered that damned town, and taught the damned Abolitionists a Southern lesson that they will

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remember until the day they die. And now, boys, we will go in again, with our highly honorable Jones, and test the strength of that damned Free-State Hotel, and teach the Emigrant Aid Company that Kansas shall be ours. Boys, ladies should, and I hope will, be respected by every gentleman. But when a woman takes upon herself the garb of a soldier by carrying a Sharp's rifle, then she is no longer worthy of respect. Trample her under your feet as you would a snake! Come on, boys! Now do your duty to yourselves and your Southern friends. Your duty I know you will do. If one man or woman dare stand before you, blow them to hell with a chunk of cold lead.

SAMUEL C. POMEROY

[Copy by Willard of Portrait in Library of Kansas State Historical Society]

Jones had returned to the main force, which he now led north on Massachusetts street. The Ruffians had brought one fair sized cannon with them. Jones exhibited the writs authorizing him to destroy the printing presses of the *Herald of Freedom* and the *Kansas Free State,* as well as the Free-State Hotel. Short work was made of the printing presses. They were broken up. The type was carried to the river and thrown in. The stocks of paper were destroyed. All the tools and appliances at the offices were broken and cast into the street. The cannon was planted on the east side of Massachusetts street, opposite

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the Free-State Hotel. A Ruffian carried the South Carolina flag to the top of the hotel and fastened it in a chimney. In doing so, he removed a brick to make a notch to hold the flag-staff. This brick he dropped, or perhaps it was accidently brushed off the chimney, when it fell, striking a Ruffian on the head, killing him instantly, as some accounts say. By other accounts he died that night in the camp of the Westport company, on the Wakarusa. He seems to have been a resident Ruffian, from Hickory Point. Some say the Ruffians trained four cannon on the hotel.

The appearance of the South Carolina flag on the battlements of the Free-State Hotel, created great enthusiasm in the ranks of the Ruffians. Major Buford was galloping about giving orders. Colonel Titus was in charge of the cavalry—about two hundred men. These he paraded in the street north of the hotel. The Stringfellows were there. G. W. Clarke was in command of the Doniphan Tigers and the Kickapoo Rangers. These swarmed about the hotel, cheering, yelling in triumph. Atchison fired the first shot at the hotel, and missed the building. The Stringfellows then took charge of the artillery and fired more than fifty shots through the hotel. It was seen that the walls could not be broken down by solid shot. Major Buford called out: "Shoot the corners of the buildings out. Then the walls will fall." But the gunners were not expert enough to do that. Kegs of powder were then exploded in the building. These had little effect, the floors heaving up and settling back into their proper places. A barrel of pitch was rolled into the hotel and set on fire. Brands were carried from this burning pitch into all the rooms and applied to the beds. Furniture was piled in hallways and the large rooms and set on fire. In a short time the building was enveloped in flames. As they rose in the sky, so did the enthusiasm of the Border-Ruffians rise. The mightiest shout went up when the walls collapsed. Jones was the most exultant of all. He frequently affirmed, "This is the happiest moment of my life. I determined to make the fanatics bow before me in the dust and kiss the Territorial laws." When the walls fell in, he exclaimed, "I have done it, by ——, I have done it." Turning to the soldiers he discharged them, saying, "You are dismissed, the writs have been executed." The Ruffians then dispersed. They broke into the principal stores under pretense that they were searching for arms. These stores were looted. The loss of the town from this cause alone must have been not less than $150,000. As they were leaving, the Ruffians burned Governor Robinson's house. It had already been plundered of every valuable thing. The *Lecompton Union,* a rabid Pro-Slavery paper, had this account of the sacking of Lawrence:

During this time appeals were made to Sheriff Jones to save the aid society's hotel. This news reached the company's ears and was received with one universal cry of "No, no; blow it up, blow it up!"

About this time a banner was seen fluttering in the breeze over the office of the Herald of Freedom. Its color was a blood red, with a lone star in the center, and South Carolina above. This banner was placed

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there by the Carolinians. The effect was prodigious. One tremendous and long-continued shout burst from the ranks. Thus floated in triumph the banner of South Carolina—that single white star, so emblematic of her course in the early history of our sectional disturbances. . . .

Thus floated victoriously the first banner of southern rights over the abolition town of Lawrence, unfurled by the noble sons of Carolina, and every whip of its folds seemed a death-stroke to Beecher propagandism and the fanatics of the east. O that its red folds could have been seen by every southern eye!

Mr. Jones listened to many entreaties, and finally replied that it was beyond his power to do anything, and gave the occupants so long to remove all private property from it. He ordered two companies into each printing office to destroy the press. Both presses were broken up and thrown into the river, and all the material belonging to each office destroyed. After this was accomplished, and the private property re-

SACKING OF LAWRENCE BY BORDER RUFFIANS MAY 21, 1856

[From *Merrill's History of Kansas,* Cincinnati, 1856]

moved from the hotel by the different companies, the cannons were brought in front of the house and directed their destructive blows upon the walls. The building caught on fire, and soon its walls came with a crash to the ground. Thus fell the abolition fortress, and we hope this will teach the aid society a good lesson for the future. . . . The "red shirts" raised the first flag upon the Free State Hotel. They have in possession the 12-pound howitzer taken from the enemy, and whenever necessary can use it effectually. Captain Donalson may feel proud of his "red shirts."

The correspondent of the *Missouri Republican* wrote to his paper:

At the expiration of two hours, the artillery was drawn up in front of the public entrance to the hotel, and a dozen or fifteen shots fired into it, completely riddling the inside and breaking holes in the wall; and after shaking the walls with two or three blasts, the structure was fired, and before the sun went down all that remained of the aid hotel was a solitary wall, holding itself up as a warning to the law-breakers, and seeming to say, "Look at me and beware!"

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INCIDENTS

Not a life of the Abolitionists was lost; but two of the Pro-Slavery ranks lost theirs accidentally. A young man by the name of Kirget shot himself accidentally through the shoulder, and another from Hickory Point was hurt by the falling of a brick from a chimney, so that he died. This case was singular: The South Carolina company, whose flag was blood-red with a single star, had planted it on one of the small chimneys on top of the hotel; the breeze being brisk, the banner whipped off a brick, which fell on the poor young man's head, breaking the skull. He died that night in our camp.

The day, Wednesday, the 21st of May, was truly a May day; the sun scarcely ever shone more brilliantly, and all, save Lawrence, looked fresh with life and glory. But that ill-fated town appeared deserted, doomed. The women and children had been removed for safety and the men had run away for cowardice. I shall continue my notes on this subject when I can, but for the present must conclude, etc. I want to end this with a *moral*. Had not Ward Beecher better give his emigrants hickory shirts to protect their bodies with, in fact, than Sharpe's rifles to keep up a fuss with, and when the time to use them comes, run away to fight another day?

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CHAPTER XXX

OLD JOHN BROWN

Early Life

John Brown was born May 9, 1800, at Torrington, Litchfield County, Connecticut. He was the son of Owen and Ruth (Mills) Brown. John Brown believed that his great-grandfather, Peter Brown, came over in the Mayflower. The later writers deny that Peter Brown was one of the Pilgrim Fathers. But the ancestry of John Brown is Puritan of the earliest New England stock and is as good as there is in America. That is conceded by all. His mother, Ruth Mills, was descended from Peter Wouter van der Muelen, of Amsterdam, Holland. His son Peter emigrated to Connecticut, settling in Windsor. The emigrant Muelen retained the old Dutch name, but his son Peter, who was born in 1666, wrote his name *Peter Mills*. From him descended Ruth Mills. She died while her son John was yet a child, but his recollection of her was clear, and the memory of her justice, as well as of her love, remained to him a priceless heritage. He was eight years old at the time of her death. The best account of the early life of John Brown was written by himself for a young friend, the son of George L. Stearns, of Boston, and is here given:

Red Rock, Iowa, 15th July, 1857.

Mr. Henry L. Stearns.

My Dear Young Friend: I have not forgotten my promise to write you; but my constant care & anxiety have obliged me to put it off a long time. I do not flatter myself that I *can* write anything that will very much interest you, but have concluded to send you a short story of a certain boy of my acquaintance, & for convenience & shortness of name, I will call him John. This story will be mainly a narration of follies and errors, which it is to be hoped *you may avoid;* but there is one thing connected with it which will be calculated to encourage any young person to persevering effort; & that is the degree of success *in accomplishing his objects* which to a great extent marked the course of this boy throughout my entire acquaintance with him; notwithstanding his moderate capacity; & still more moderate acquirements.

John was born May 9th, 1800, at Torrington, Litchfield Co., Connecticut; of poor but respectable parents; a descendant on the side of his Father of one of the company of the Mayflower who landed at Plymouth 1620. His mother was descended from a man who came at an early period to New England from Amsterdam, in Holland. Both his Father's and Mother's Fathers served in the war of the revolution.

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His Father's Father died in a barn at New York while in the service, in 1776.

I cannot tell you of anything in the first Four years of John's life worth mentioning, save that at that *early age* he was tempted by Three large Brass Pins belonging to a girl who lived in the family & *stole them.* In this he was detected by his Mother; & after having a full day to think of the wrong, received from her a thorough whipping. When he was Five years old his Father moved to Ohio; then a wilderness filled with wild beasts, & Indians. During the long journey which was performed in part or mostly with an *Oxteam,* he was called on by turns to assist a boy Five years old (who had been adopted by his Father & Mother) & learned to think he could accomplish *smart things* in driving the Cows; & riding the horses. Sometimes he met with Rattle Snakes

JOHN BROWN, THE GREAT ANTI-SLAVERY LEADER

[Photograph by Willard from Portrait Owned by William E. Connelley]

which were very large; & which some of the company generally managed to kill. After getting to Ohio in 1805), he was for some time rather afraid of the Indians, & of their Rifles; but this soon wore off, & he used to hang about them quite as much as was consistent with good manners; & learned a trifle of their talk. His father learned to dress Deer Skins, & at 6 years old John was installed a young Buck Skin. He was perhaps rather observing as he ever after remembered the entire process of Deer Skin *dressing;* so that he could at any time dress his own leather, such as Squirel, Raccoon, Cat, Wolf or Dog Skins; and also learned to make Whip Lashes, which brought him some change at times; & was of considerable service in many ways. At Six years old John began to be quite a rambler in the wild new country finding birds and Squirrels and sometimes a wild Turkey's nest. But about this period he was placed in the School of *adversity;* which my young friend was a most necessary part of his early training. You may *laugh* when you come to read about it, but these were *sore trials* to John, whose earthly treasures were very *few, & small.* These were the beginning of a severe

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but *much needed course* of dicipline which he afterwards was to pass through; & which it is to be hoped has learned him before this time that the Heavenly Father sees it best to take all the little things out of his hands which he has ever placed in them. When John was in his Sixth year a poor *Indian boy* gave him a Yellow Marble, the first he had ever seen. This he thought a great deal of; & kept it a good while; but at last *he lost it* beyond recovery. *It took years to heal the wound* & I *think* he cried at times about it. About Five months after this he caught a young Squirrel, tearing off his tail in doing it; & getting severely bitten at the same time himself. He however held on *to the little bob tail Squirrel;* & finally got him perfectly tamed, so that he almost idolized his pet. *This too he lost;* by its wandering away; or by getting killed; & for a year or two John was *in mourning;* and looking at all the Squirrels he could see to try & discover Bobtail, *if possible.* I must not neglect to tell you of a verry *bad* & *foolish* habbit to which John was somewhat addicted. I mean *telling lies;* generally to screen himself from blame; or from punishment. He could not well endure to be reproached; & I now think had he been oftener encouraged to be entirely frank; *by making frankness a kind of atonement* for some of his faults; he would not have been so often guilty in after life of this fault; nor have been obliged to struggle *so long* with *so mean* a habit.

John was *never quarrelsome;* but was *excessively* fond of the *hardest* & *roughest* kind of plays; & could *never get enough* of them. Indeed when for a short time he was sometimes sent to School the opportunity it afforded to wrestle & Snow ball & run & jump & knock off old seedy Wool hats; offered to him almost the only compensation for the confinement, & restraints of school. I need not tell you that with such a feeling & but little chance of going to school *at all* he did not become much of a schollar. He would always choose to stay at home & work hard rather than be sent to school; & during the Warm season might generally be seen *barefooted* & *bareheaded,* with Buck skin Breeches suspended often with one leather strap over his shoulder but sometimes with Two. To be sent off through the wilderness alone to very considerable distances was particularly his delight; & in this he was often indulged so that by the time he was Twelve years old he was sent off more than a Hundred Miles with companies of cattle; & he would have thought his character much injured had he been obliged to be helped in any such job. This was a boyish kind of feeling but characteristic however. At Eight years old, John was left a Motherless boy, which loss was complete & permanent for notwithstanding his Father again married to a sensible, inteligent, and on many accounts a very estimable woman; yet he never *adopted her in feeling;* but continued to pine after his own Mother for years. This opperated very unfavorably uppon him; as he was both naturally fond of females; &, withall, extremely diffident; & deprived him of a suitable connecting link between the different sexes; the want of which might, under some circumstances, have proved his ruin. When the war broke out *with England,* his Father soon commenced furnishing the troops with beef cattle, the collecting & driving of which afforded him some opportunity for the chase (on foot) of wild steers & other cattle through the woods. During this war he had some chance to form his own boyish judgment of *men* & *measures,* & to become somewhat familiarly acquainted with some who have figured before the country since that time. The effect of what he saw during the war was to so far disgust him with Military affairs that he would neither train, *or drill;* but paid fines; & got along like a Quaker untill his age finally had cleared him of Military duty. During the war with England a circumstance occurred that in the end made

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him a most *determined Abolitionist,* & led him to declare, *or swear, Eternal* war with Slavery. He was staying for a short time with a very gentlemanly landlord, since a United States Marshall, who held a slave boy near his own age very active, inteligent, and good feeling; & to whom John was under considerable obligation for numerous little acts of kindness. *The Master* made a great pet of John; brought him to table with his first company; & friends; called their attention to every little smart thing he *said or did;* & to the fact of his being more than a hundred miles from home with a company of cattle alone; while the *negro boy* (who was fully if not more than his equal) was badly clothed, poorly fed; & *lodged in cold weather;* & beaten before his eyes with Iron Shovels or any other thing that came first to hand. This brought John to reflect on the wretched, hopeless condition, of *Fatherless* & *Motherless* slave *children;* for such children have neither Fathers or Mothers to protect & provide for them. He sometimes would raise the question *is God their Father?* At the age of Ten years, an old friend induced him to read a little history, & offered him the free use of a good library; by which he acquired some taste for reading, which formed the principle part of his early education, & diverted him in a great measure from bad company. He by this means grew to be verry fond of the company & conversation of old & inteligent persons. He never attempted to dance in his life; nor did he ever learn to know *one* of a pack of *Cards* from *another.* He learned nothing of Grammer; nor did he get at school so much knowledge of common Arithmetic as the Four ground rules. This will give you some general idea of the first Fifteen years of his life; during which time he became very strong & large of his age & ambitious to perform the full labour of a man; at almost any kind of hard work. By reading the lives of great, wise & good men, their sayings and writings, he grew to a dislike of vain & frivolous *conversation & persons;* & was often greatly obliged by the kind manner in which older & more inteligent persons treated him at their houses, & in conversation; which was a great relief on account of his extreme bashfulness. He very early in life became ambitious to excel in doing anything he undertook to perform. This kind of feeling I would recommend to all young persons both *Male & female;* as it will certainly tend to secure admission to the company of the more inteligent; & better portion of every community. By all means endeavour to excel in some laudable pursuit. I had like to have forgotten to tell you of one of John's misfortunes which set rather hard on him while a young boy. He had by some means, *perhaps* by gift of his Father, become the owner of a little Ewe Lamb which did finely till it was about Two Thirds grown; & then sickened and died. This brought another protracted *mourning season,* not that he felt the pecuniary loss so heavily, for that was never his disposition; but so strong & earnest were his attachments. John had been taught from earliest childhood to "fear God & keep his commandments;" & though quite skeptical he had always by turns felt much serious doubt as to his future well being; & about this time became to some extent a convert to Christianity & ever after a firm believer in the divine authenticity of the Bible. With this book he became very familiar, & possessed a most unusual memory of its entire contents.

Now some of the things I have been *telling of* were just such as I would recommend to you, & I would like to know that you had selected these out; & adopted them as part of your own plan of life; & I wish you to have *some deffinite plan.* Many seem to have none; & others never to stick to any that they do form. This was not the case with John. He followed up with *tenacity* whatever he set about so long as

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it answered his general purpose; & hence he rarely failed in some good degree to effect the things he undertook. This was so much the case that he *habitually expected to succeed* in his undertakings. With this feeling *should be coupled* the consciousness that our plans are right in themselves.

During the period I have named, John had acquired a kind of ownership to certain animals of some little value, but as he had come to understand that the *title of minors* might be a little imperfect, he had recourse to various means in order to secure a more *independent* & perfect right of property. One of these means was to exchange with his Father for something of far less value. Another was by trading with other persons for something his Father had never owned. Older persons have sometimes found difficulty with *titles.*

From Fifteen to Twenty years old, he spent most of his time working at the Tanner & Currier's trade keeping Bachelors hall; & he officiating as Cook; & for most of the time as foreman of the establishment under his Father. During this period he found much trouble with some of the bad habits I have mentioned & with some that I have not told you of: his conscience urging him forward with great power in this matter; but his close attention to *business,* & success in its management, together with the way he got along with a company of men, & boys, made him quite a favorite with the serious & more inteligent portion of older persons. This was so much the case; & secured for him so many little notices from those he esteemed; that his vanity was very much fed by it; & he came forward to manhood quite full of self-conceit; & self-confident; notwithstanding his *extreme* bashfulness. A young brother used sometimes to remind him of this: & to repeat to him *this expression* which you may somewhere find, "A King against whom there is no rising up." The habit so early formed of being obeyed rendered him in after life too much disposed to speak in an imperious or dictating way. From Fifteen years & upward he felt a good deal of anxiety to learn; but could only read & studdy a little; both for want of time; & on account of inflammation of the eyes. He however managed by the help of books to make himself tolerably well acquainted with common Arithmetic; & Surveying; which he practiced more or less after he was Twenty years old. At a little past Twenty years, led by his own inclination & *prompted also* by his Father, he married a *remarkably plain,* but neat, industrious & economical girl; of excellent character; earnest piety; & good practical common sense; about one year younger than himself. This woman, by her mild, frank, & *more than all else,* by her very consistent conduct, acquired & ever while she lived maintained a most powerful & good influence over him. Her plain but kind admonitions generally had the right effect; without arousing his haughty, obstinate temper. John began early in life to discover a great liking to fine Cattle, Horses, Sheep, & Swine; & as soon as circumstances would enable him, he began to be a practical *Shepherd,* it being a calling for which *in early life* he had a kind of *enthusiastic longing;* together with the idea that as a business it bid fair to afford him the means of carrying out his greatest or principal object. I have now given you a kind of general idea of the early life of this boy; & if I believed it would be worth the trouble; or afford much interest to any good feeling person; I might be tempted to tell you something of his course in after life, or manhood. I do not say that I *will do it.*

You will discover that in using up my *half sheets to save paper,* I have written Two pages, so that one does not follow the other as it should. I have no time to write it over; & but for unavoidable hindrances

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in traveling I can hardly say when I should have written what I have. With an honest desire for your best good, I subscribe myself,

Your Friend,

J. BROWN.

MANHOOD

In 1805, Owen Brown moved to the Western Reserve, in Ohio, settling at Hudson. Owen Brown established a tannery. In this, John Brown worked as foreman, in his father's service. He had not attained his majority when he married Dianthe Lusk. Before his marriage he was following the vocations of both tanner and surveyor. He lived in his own house, having employed a housekeeper, a widow named Lusk, who brought her daughter, Dianthe, with her to this service. In 1825 John Brown moved to Pennsylvania, settling near Randolph, now Richmond. There he was postmaster for some years, and he had a large tannery. In 1835 he moved to Franklin Mills, Portage County, Ohio. At that time there was a fever of speculation over the country. John Brown invested in village lots. These proved valueless, and the venture ruined him financially. Later he was an extensive sheep farmer. This led to his becoming a member of the firm of Perkins & Brown, wool merchants, with warehouse at Springfield, Massachusetts, to which city he moved in 1846. He became an expert grader of wool, and might have succeeded in this enterprise but for the attempt to dictate the price of wool to the New England manufacturers. This caused him to take a large cargo of wool to England, in August, 1849, which was finally sold for much less than it would have brought in Springfield. He returned, after a travel over portions of Europe, in October, 1849. His partner urged him to remain in the wool business, but he declined. It is related of Brown that an Englishman thought to test his knowledge of wool. "He very gravely drew a sample from his pocket, handed it to the Yankee farmer, and asked him what he would do with such wool as that. Brown took it, and had only to roll it between his fingers to know that it had not the minute hooks by which the fibers of wool are attached to each other. 'Gentlemen,' said he, 'if you have any machinery in England that will work up dog's hair, I advise you to put this into it.' The jocose Briton had sheared a poodle and brought the fleece with him; but the laugh went against him when Brown handed back his precious sample."

In 1846 Gerrit Smith proposed to donate wild land in the Adirondack Mountains of New York, to such free negroes as would accept, clear, and cultivate farms there. These farms were limited to forty acres. In April, 1848, John Brown proposed to take one of the farms on which to build a home and become an example to the few negro families then there and to those who might afterwards come. Mr. Smith was pleased to accept the offer of Brown, who before the final settlement of his wool business, removed a portion of his family to North Elba, New York, where his home always remained and where he is buried.

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Sons Settle in Kansas

In October, 1854, Owen, Frederick and Salmon Brown, sons of John Brown, left Ohio for Kansas. They brought eleven head of cattle and three horses. They came by water to Chicago. At Meridosia, Illinois, they remained through the winter. Early in April they set out for Kansas, crossing the line into the Territory on the 20th day of April, 1855. On the 7th of May, Jason and John Jr., also sons of John Brown, came to Osawatomie. They left Ohio after the rivers were clear of ice. The Browns settled in Franklin County, not far west of the line between Miami and Franklin Counties.[1]

John Brown had early determined to wage war on slavery. His sons were imbued with this same spirit. Salmon Brown had come to Kansas only to fight slavery. Later his brother Oliver came for the same purpose, as did his father and brother-in-law, Henry Thompson. The others came for the purpose of making homes, and living in Kansas. The family of John Brown was a peculiar one. The members of it were bound to one another by very close ties, and their conduct was always the result of religious inclinations. Cholera broke out among the passengers on the boat bringing the Browns up the Missouri River. Jason's son, Austin, four years old, contracted this disease and died of it. At Waverly, Missouri, the boat was tied up to repair a broken rudder. The child was taken ashore and there buried. The repairs were made before the burial party returned. The captain, without notice to those ashore, continued his way up the Missouri, leaving the Browns to get to Kansas in the best manner they could. When they offered to purchase food at farm houses, they were repulsed, the people knowing from their speech that they were the North.

John Brown, Jr., wrote a long letter to his father on the 20th of May, 1855. He described the political conditions in the Territory. He discerned plainly the national character of the conflict in Kansas, saying, "Now Missouri is not alone in the undertaking to make this a Slave State. Every Slave-holding State from Virginia to Texas is furnishing men and money to fasten Slavery upon this glorious land by means no matter how foul." He proposed that the Free-State men should immediately thoroughly arm and organize themselves into militia

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[1] The Browns settled in Franklin County, on what came to be known as Brown's Branch, about one mile south of the point where Mount Vernon, now extinct, was afterwards laid out. The settlement of the Browns fell, when the government survey was made, within section twenty-six (26), township seventeen (17), range twenty (20). Mount Vernon was about the center of section twenty-three (23), same township and range. Orson Day, the brother-in-law of John Brown, settled about two miles west of the present town of Rantoul. He built his house on section thirty (30), township seventeen (17), range twenty-one (21). John Brown helped him to erect this house, which still exists in a fair state of preservation. Judge James Hanway lived on section four (4), township eighteen (18), range twenty-one (21). It is believed well to locate these points of interest at this time.

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companies. He affirmed that the Browns were not only anxious to prepare themselves, but that they were thoroughly determined to fight. He enumerated the arms they possessed. He also made a list of arms they needed, saying, "Now we want you to get for us these arms. *We need them more than we do bread.*"

John Brown Goes to Kansas

Upon receipt of this letter, John Brown proceeded to raise money to buy arms and ammunition for his sons in Kansas. General Lucius V. Bierce donated a number of broad swords of antique design, which had been left on his hands by a "defunct filibustering company." We shall see that these swords did bloody work later. Taking his son-in-law, Henry Thompson, he set out for Kansas, bearing these arms. At Detroit they were met by Brown's son, Oliver. The three men left Chicago the 23d of August. They drove over the country, crossing the Missouri River at Waverly. John Brown did not like the idea of his grandson remaining buried "amidst the ruffian-like people by whom (for the most part), they were themselves too inhumanely treated in their distress," so he disinterred the body of the child and carried it along to Kansas. An old Missourian meeting Brown's company, inquired from whence they came and whither they were going. Being told that they were from New York, on their way to Kansas, the old man replied, "You won't live to get there." To this warning, John Brown said, "*We are prepared not to die alone.*" He was not further troubled.

On the 7th of October John Brown arrived at the settlement of his children. He found that they were very poorly housed; that the supplies of food were very meager; and that they were suffering from chills and fever. John Brown worked with vigor to remedy these ills. It was his intention to follow the vocation of surveyor in Kansas. The compass which he carried with him was purchased at Troy, New York, for use in the Territory. It is now in the Museum of the Kansas State Historical Society. These Browns had declared themselves in favor of a free State from their first arrival. They had also announced that they were Abolitionists. They were early marked by the Border-Ruffians as men dangerous to the institution of slavery. They attended the meetings of the Free-State people, and were outspoken against the Missourians in their invasion of Kansas and fraudulent voting.

We have noted the appearance of John Brown and his sons at Lawrence in the Wakarusa War, and the organization of a compnay there with John Brown as Captain. John Brown, Jr., was elected a member of the Free-State Legislature. In the exciting times of the winter of 1855-6, the Browns bore a part. When Lawrence was beleaguered in May, 1854, they were prompt to respond to the call for help, as they had responded the past December. They were now better informed as to the conditions in the Territory. Their participation in the affairs had given them experience and an insight into the Border-Ruffian character and intentions. Early in the spring, Judge Cato, of the Terri-

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torial Supreme Court, was at Dutch Henry's Crossing of the Pottawatomie, holding a term of court. John Brown, Jr., was the captain of a company of Free-State men numbering about one hundred. These men passed a resolution warning Cato not to try any one under the Territorial laws. John Brown and John Brown, Jr., were appointed to serve this warning on Judge Cato. Salmon Brown went along to see what effect the warning would have. Cato paid no attention to it. He issued warrants for the Browns and for the members of the Free-State Legislature in that district, two of whom were John Brown, Jr., and H. H. Williams. On this subject John Brown wrote:

BROWN'S STATION, 22D APRIL, 1856.

Dear Brother Adair: . . . Yesterday we went to Dutch Henrys to see how things were going at Court, my boys turned out to train at a house near by. Many of the volunteer Co. went in without show of arms to hear the charge to Grand Jury. The Court is *thoroughly Bogus* but the Judge had not the nerve to avow it openly. He was questioned on the bench in writing civilly but plainly whether he intended to enforce the Bogus Laws or not; but would give no answer. He did not even mention the so called Kansas *Legislature or name their acts* but talked of *our* laws; it was easy for any one conversant with law matters to discover what code he was charging the jury under. He evidently felt much agitated but talked a good deal about having criminals punished, &c. After hearing the charge and witnessing the refusal of the Judge to answer, the volunteers met under arms passed the Osawatomie Preamble & Resolutions, every man voting aye. They also appointed a committee of Three to wait on the Judge at once with a coppy in full; which was immediately done. The effect of that I have not yet learned. You will see that matters are in a fair way of comeing to a head.

Yours sincerely in haste,

JOHN BROWN.

To this, Judge Hanway added in after years:

John Brown, Jr. left the court room, and in the yard he called out in a loud voice: "The Pottawattomie Rifle Company will meet at the parade ground," and the company consisting of some thirty men, marched off to meet as ordered. There was not a disrespectful word uttered, nor were there deadly weapons displayed on the occasion—there were doubtless a few pocket pistols, but they were hid from sight. Between dark and daylight, Judge Cato and his officials had left; they journeyed toward Lecompton in Douglas County, which was the Bastile of the proslavery party. This was the first and the last of the proslavery court holding their sessions in this section of the country.

A camp of Buford's Georgians had been established some three miles southwest of Dutch Henry's Crossing. In order to determine exactly the attitude of these men toward the Free-State settlers, John Brown took his surveyor's instruments and ran a line through the Georgian camp. The surveying parties in the Territory were composed of Pro-Slavery men, and the Georgians supposed Brown's party to be Government surveyors and Pro-Slavery in sentiment. Salmon Brown carried one end of the chain. The Georgians talked very freely to the Browns. They said "they had come to help themselves first and the

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South next, but there was one thing they would do—they would annihilate every one of those d—d Browns, and they would stay with Judge Cato until every d—d Abolitionist was in hell." Salmon Brown said that nerved them for future action. The warrants for the arrest of the Browns and others were put into the hands of Old Man Doyle and his two sons, who were deputy constables. They had the warrants for the arrest of all the Browns and Henry Thompson.

At the time the summons from Lawrence arrived, John Brown was in Osawatomie. The Pottawatomie Rifles, the company of John Brown, Jr., assembled at that place to set out for Lawrence. They left Osawatomie about four o'clock on the afternoon of the 21st of May. They followed what was locally known as the California Road, which passed through the village of Mount Vernon, on Middle Creek. Some two miles south of that point, the Osawatomie Company, under Captain Dayton, came up. A halt of two hours was made at Mount Vernon for the moon to rise. Just at daylight the companies went into camp on Ottawa Creek, just west of the house of Ottawa Jones. There they cooked their breakfast. Before they arrived at that point, a messenger met them and informed them that Lawrence had been destroyed the day before at about the time they left Osawatomie. It was then a question as to whether they should go on to Lawrence and it was finally determined that they would go. They went about five miles farther on the road to Lawrence, which brought them into the vicinity of Captain Shore's claim. There they went into camp. Salmon Brown asserts that his father had a small company of his own which he kept apart from the others, and that this company had gone much father north than the Shore claim. He says:

In the meantime father's little company went back on the road toward Ottawa Jones'. As near as I can remember about half way from the Wakarusa hills and Ottawa Jones' home place we stopped at a little station where they gave meals from a tent. They also had a grindstone.

The point where John Brown stopped with his company must have been the camp of John Brown, Jr.[2] It was long said that a mes-

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[2] In his *John Brown,* Mr. Villard falls into an error as to the time the Pottawatomie Rifles left Osawatomie for Lawrence. He fixes the date as the 22d of May. Connelley, in his *John Brown,* makes the same mistake. The correct date is May 21, 1856, the day Lawrence was sacked. Townsley, in his first confession fixes the date as the 21st, saying:

"I joined the Pottawatomie Rifle Company at its re-organization, in May, 1856. At that time, John Brown, Jr., was elected Captain. On the 21st of this month, Lawrence was sacked by a Pro-slavery mob, under Sheriff Jones, and on the day of the sacking, information was received that a movement to that end was in progress. The company was hastily called together, and a forced march to aid in its defense immediately determined upon. We started about four o'clock in the afternoon. About two miles south of Middle Creek, the Osawatomie company, under Captain Dayton, joined us. Upon arriving at Mount Vernon, we halted for two hours, until the rising of the moon. After marching the rest of the night, we went into camp, near the house of

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senger arrived at this camp with information that there was trouble on the Pottawatomie. In the conflicting statements on this subject, this author in a former work, made H. H. Williams this messenger, which was an error. In any event, discussion arose in the camp as to what should be done. Jason Brown has this account of what was said:

Father cooked for our company. While he was cooking breakfast, I heard him, Townsley and Weiner talking together. I heard Townsley say: "We expect to be butchered, every Free State settler in our region," and Townsley pleaded that help should be sent. I heard their talk only in fragments. Then I heard father say to Weiner: "Now something *must* be done. We have got to defend our families and our neighbors as best we can. Something *is going to be done now.* We must show by actual work that there are two sides to this thing and that they cannot go on with impunity."

Salmon Brown has furnished the author this account of what was said at the camp:

There were a good many men there. Among them was H. H. Williams of Pottawatomie, an old comrade of my brother John and later a resident

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John T. Jones, for breakfast. Just before reaching this place, we learned that Lawrence had been destroyed the day before, and the question arose whether we should go on or return. It was decided to go on, and we proceeded up Ottawa Creek to within about five miles of Palmyra. We remained in camp undecided over night, and until noon of the next day."

It was at least twenty-five miles from Osawatomie to the house of Ottawa Jones. There the men cooked breakfast. They had marched all night and were tired, no doubt. After breakfast they debated as to the advisability of going on to Lawrence. They decided to go. Then they marched up Ottawa Creek to a point near the claim of Samuel T. Shore, camping at a tent where meals were served, and where there was a grindstone. The company of Old John Brown had gone much beyond this point, but had returned. They must have been in camp there when the Pottawatomie Rifles arrived, if the memory of Salmon Brown was good.

The Pottawatomie Rifles, the Osawatomie Company—Captain Dayton—and the company of Old John Brown must all have camped at that tent with the grindstone the night of Thursday, May 22d. It was on Friday morning, May 23d, that John Brown began to talk of going to Dutch Henry's Crossing. It would have been noon at least, before the Pottawatomies Rifles could have reached the camp from the house of Ottawa Jones. It was probably about that time on the 22d when they did arrive, rather than on the 23d, as Mr. Villard and Mr. Connelley have it. It is impossible that the men could have done the marching in the time allowed by Mr. Villard and Mr. Connelley. The party of Old John Brown would have been compelled to march to the camp on Ottawa Creek, and from that camp to Dutch Henry's Crossing, in twenty-four hours. This is a distance of at least seventy miles. Townsley's horses could not have made that march. Nor could the men.

The men left Osawatomie about four o'clock, May 21. They arrived at the tent with the grindstone about noon on the 22d. They lay in camp over night. On the morning of Friday, May 23d, John Brown determined to go to Dutch Henry's Crossing. He drove out of the camp about two in the afternoon of that day.

Mr. Villard and Mr. Connelley were misled by the date named in John Brown's letter, dated "Near Brown's Station, K. T. June, 1856."

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of Osawatomie, I understand. He was a very fine man but got badly cowed after he was taken to Lecompton as a prisoner. Williams knew everybody on the Pottowatomie. My father told him that we were going back to Pottawatomie to break up Cato's court, and get away with some of his vile emissaries before they could get away with us,—"I mean to steal a march on the slave hounds." Williams said "That is just right. I will write down their names," which he did. I stood within two feet of him while he wrote down the names of all the men that were killed and some others. Everybody had implicit confidence in Judge H. H. Williams. We ground up our broad swords on that grindstone and old man Townsley in high glee ventured to haul all of our crowd back in his lumber wagon.

Dutch Henry's Crossing

This was on the 23rd day of May. John Brown made up his company about noon. It consisted of four of his sons—Owen, Frederick, Salmon and Oliver—his son-in-law, Henry Thompson, and Theodore Weiner. James Townsley[3] consented to the use of his wagon to convey the company back to the Pottawatomie. John Brown informed him that he had just heard that trouble was expected there. When Townsley agreed to haul the party, the time for starting was fixed at two o'clock. The swords were sharpened in the meantime. Baine Fuller, a boy, turned the grindstone. George Grant wished to go with the company, but was rejected by John Brown. Judge James Hanway was a member of the Pottawatomie Rifles and records that as the party was getting ready to leave the camp, he feared something rash would be done and urged caution, which seemed to anger John Brown, who insisted that the word meant nothing but cowardice. Hanway was invited to be one of the party, but when told what was to be done,

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[3] James Townsley was born in Maryland, August 29, 1807. He was for eight years a soldier in the regular army of the United States. His first service was three years, in the Fourth Artillery, at Fort McHenry. Then he served five years in the Second Dragoons. He was in the Seminole War, in this service, and was severely wounded in the shoulder in Florida in battle with the Seminoles. He was under General Scott, and for a time was a teamster. He came to Kansas in 1855, and settled on Pottawatomie Creek, in Anderson County, one mile west of Greeley. He first saw John Brown near Lane in the spring of 1856.

On Saturday, the 24th of May, Brown and his company remained inactive in their camp on the bank of the Pottawatomie. Townsley insists that he did not know the purpose of the expedition until after supper. He says that his failure to agree to the plans of Brown, postponed the purpose for which they had come until the night of the 24th. He tried, as he says, to withdraw from the party, which John Brown would not permit. He says that Owen Brown and Henry Thompson guarded him with rifles to prevent his escape. When he tried to influence the boys, John Brown declared that it was necessary "to strike straight into the hearts of the Pro-Slavery party." Drawing his revolver, he said to Townsley, "shut up, you are trying to discourage my boys. Dead men tell no tales." When he said that he was ill, John Brown felt his pulse and replied: "You are not sick; all you need is a smell of blood."

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declined to go. When the wagon pulled out bearing the company of John Brown, except Weiner, who rode his pony, cheers rose from the camp. After the party had crossed Middle Creek, it was met by James Blood, who has left a very peculiar account of that incident. Arriving on the Pottawatomie, they drove up the creek away from the road where they would not be interrupted, and went into camp at the edge of the timber about a mile above Dutch Henry's Crossing. Salmon Brown says they rested in a deep grassy ravine.

Salmon Brown says that the postponement was made for the reason that it would be impossible to take the doomed men in the daytime. Some time after dark, probably about ten o'clock, the party went in a northeasterly direction to Mosquito Creek, striking that stream above the residence of the Doyles. It was the purpose of John Brown to make as short a matter of the work in hand as possible. To this end he divided his party in two bands. In the first party was Weiner and Henry Thompson. In the other were Townsley, Owen, Fred, Salmon and Oliver Brown. John Brown was to run back and forth between the parties to keep himself informed as to the progress made, and to see that everything was thoroughly carried out according to the designs he had formed. Weiner and Henry Thompson were sent to Dutch Henry's Crossing. The other party then went to the cabin of Doyle. Frederick Brown and Townsley were assigned the duty of guarding Doyle's house. This was necessary to keep members of it from escaping and alarming the neighborhood. They were attacked by savage dogs owned by the Doyles. These Townsley dispatched with his broadsword; he claims that there was but one dog. The old man Doyle and his sons were ordered out. They at first refused to come out. Some inflammable balls were lighted and thrown into the house, after which Doyle and his sons came into the yard. Mrs. Doyle afterwards claimed that her husband opened the door and several men came into the house, saying they were from the army and that the husband and boys must surrender—that they were prisoners. According to her story they first took her husband out and later the two sons. They intended to take another son, but he was spared because of her tears. Salmon Brown confirms a part of the account of Mrs. Doyle, saying that some of the party entered Doyle's cabin. When they went in, Mrs. Doyle seemed to know that trouble had entered. Salmon says, "Mrs. Doyle stormed and raved at her men after we had taken them prisoners. 'Haven't I told you what you were going to get for the course you have been taking,'" she said. The husband endeavored to quiet her. The Doyles were taken a short distance from the house and there slain with the heavy swords. Owen Brown cut down one of them, and Salmon Brown killed the other son and the old man Doyle. This he admits. Townsley says, "Here old John Brown drew his revolver and shot old man Doyle in the forehead, killing him instantly." It is denied by all the Browns that John Brown raised his hand against any of the men killed that night. In the statement of Salmon Brown to Mr. Villard, Salmon Brown could not explain why the shot was fired, saying, "It

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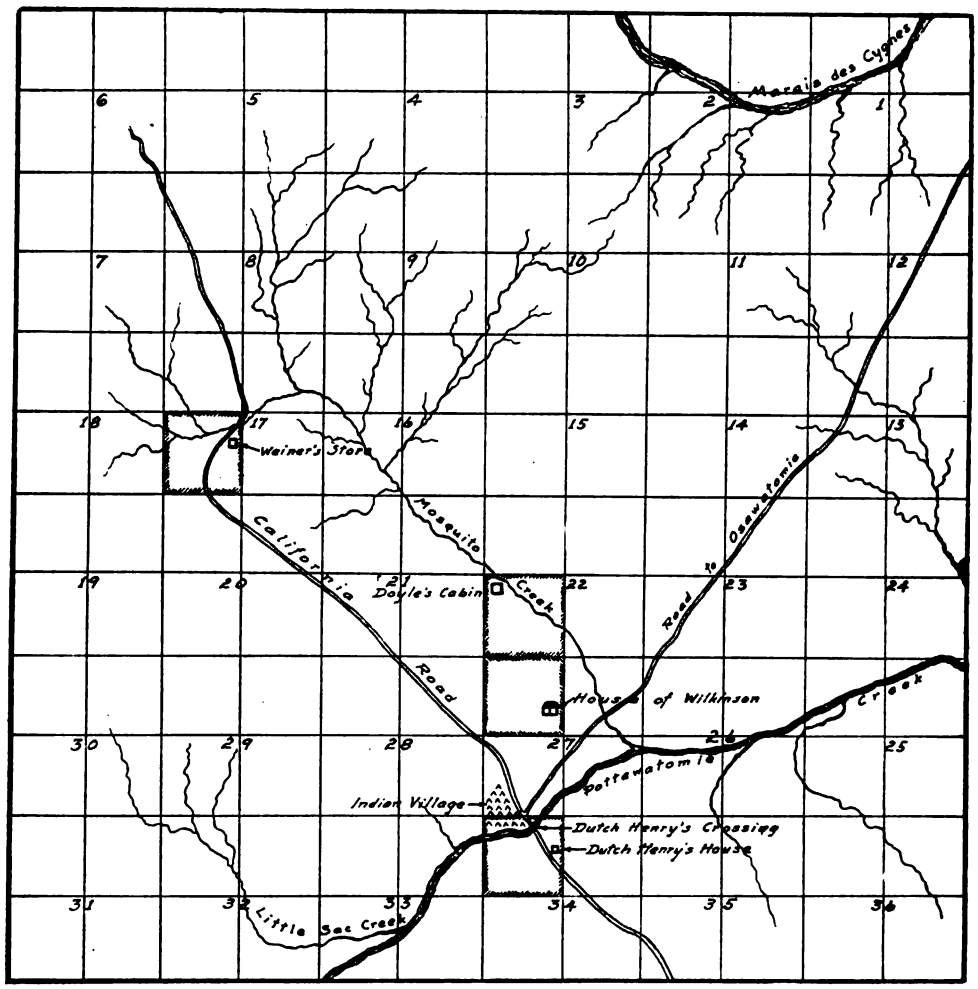

TOWNSHIP 18 SOUTH, RANGE 21 EAST SHOWING
THE COUNTRY ABOUT DUTCH HENRY'S CROSSING
AT THE TIME OF THE POTTAWATOMIE MASSACRE.

Drawn by:-
William Elsey Connelley.

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did no possible good as a bullet, for Doyle had long been stone dead." There was a shot, but for what purpose it was fired has never been explained. Henry Thompson says he was three hundred yards away when the shot was fired, adding, "those who were on the spot, told me that it was done after Doyle was dead." The swords were used and the use of fire-arms prohibited that the neighbors might not be alarmed by the firing. This is what Mrs. Doyle said of the matter:

The undersigned, Mahala Doyle, states upon oath: I am the widow of the late James P. Doyle; that we moved into the Territory, that is, my husband, myself, and children moved into the Territory of Kansas some time in November, A. D. 1855, and settled on Mosquito creek, about one mile from its mouth, and where it empties into Pottawatomie creek, in Franklin County; that on Saturday, the 24th day of May, A. D. 1856, about 11 o'clock at night, after we had all retired, my husband, James P. Doyle, myself, and five children, four boys and one girl—the eldest boy is about twenty years of age, his name is Drury; the next is about sixteen years of age, his name is John; the next is about thirteen years of age, her name is Polly Ann; the next is about ten years of age, his name is James; the next is about eight years of age, his name is Charles; the next is about five years of age, his name is Henry—we were all in bed, when we heard some persons come into the yard and rap at the door and call for Mr. Doyle, my husband. This was about 11 o'clock on Saturday night of the 24th of May last. My husband got up and went to the door. Those outside inquired for Mr. Wilkson and where he lived. My husband told them that he would tell them. Mr. Doyle, my husband, opened the door, and several came into the house, and said that they were from the army. My husband was a pro-slavery man. They told my husband that he and the boys must surrender, they were their prisoners. These men were armed with pistols and large knives. They first took my husband out of the house, then they took two of my sons—the two oldest ones, William and Drury—out, and then took my husband and these two boys, William and Drury, away. My son John was spared, because I asked them in tears to spare him. In a short time afterwards I heard the report of pistols. I heard two reports, after which I heard moaning, as if a person was dying, then I heard a wild whoop. They had asked before they went away for our horses. We told them that the horses were out on the prairie. My husband and two boys, my sons, did not come back any more. I went out next morning in search of them, and found my husband and William, my son, lying dead in the road near together, about two hundred yards from the house. My other son I did not see any more until the day he was buried. I was so much overcome that I went to the house. They were buried the next day. On the day of the burying I saw the dead body of Drury. Fear of myself and the remaining children induced me to leave the home where we had been living. We had improved our claim a little. I left all and went to the State of Missouri.

her
MAHALA X DOYLE.
mark

After the Doyles had been dispatched, the party went to the house of Wilkinson, who lived about midway between the Doyle cabin and Dutch Henry's Crossing. Salmon Brown told Villard that the forces were divided at Wilkinson's. This could hardly have been the case.

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The division was evidently made before a blow was struck. The best account of what occurred at Wilkinson's house, was told by Mrs. Wilkinson to Mordecai Oliver of the Congressional Investigating Committee:

I was sick with the measles, and woke up Mr. Wilkinson, and asked if he heard the noise and what it meant? He said it was only someone passing about, and soon after was again asleep. It was not long before the dog raged and barked furiously, awakening me once more; pretty soon I heard footsteps as of men approaching; saw one pass by the window, and some one knocked at the door. I asked who is that? No one answered. I awoke my husband, who asked, who is that? Someone replied, "I want you to tell me the way to Dutch Henry's." He commenced to tell them, and they said to him, "Come out and show us." He wanted to go, but I would not let him; he then told them it was difficult to find his clothes, and could tell them as well without going out of doors. These men out of doors, after that, stepped back, and I thought I could hear them whispering; but they immediately returned, and, as they approached, one of them asked of my husband, "Are you a northern armist?" He said, "I am!" I understood the answer to mean that my husband was opposed to the northern or free-soil party. I cannot say that I understood the question. My husband was a pro-slavery man, and was a member of the territorial legislature held at Shawnee Mission. When my husband said "I am," one of them said, "You are our prisoner. Do you surrender?" He said, "Gentlemen, I do." They said, "Open the door." Mr. Wilkinson told them to wait till he made a light; and they replied, "If you don't open it, we will open it for you." He opened the door against my wishes, and four men came in, and my husband was told to put on his clothes, and they asked him if there were not more men about; they searched for arms, and took a gun and powder flask, all the weapon that was about the house. I begged them to let Mr. Wilkinson stay with me, saying that I was sick and helpless, and could not stay by myself. My husband also asked them to let him stay with me until he could get someone to wait on me; told them that he would not run off, but would be there the next day, or whenever called for. The old man, who seemed to be in command, looked at me and then around at the children, and replied, "You have neighbors." I said, "So I have, but they are not here, and I cannot go for them." The old man replied, "It matters not." I [he?] told him to get ready. My husband wanted to put on his boots and get ready, so as to be protected from the damp and night air, but they wouldn't let him. They then took my husband away. One of them came back and took two saddles; I asked him what they were going to do with him, and he said, "Take him a prisoner to the camp." I wanted one of them to stay with me. He said he would, but "They would not let him." After they were gone, I went to the door, and all was still. Next morning Mr. Wilkinson was found about one hundred and fifty yards from the house in some dead brush. A lady who saw my husband's body, said that there was a gash in his head and in his side; others said that he was cut in the throat twice.

The party seems to have been reunited at the house of Wilkinson and to have gone in a body to the house of James Harris, near that of Dutch Henry.[4] William Sherman was taken from that house, led

[4] J. N. Baker, of Greeley, Kansas, writing to William E. Connelley, June 5, 1909, says he knew all the settlers on the Pottawatomie in those

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down into the bed of Pottawatomie Creek and slain by Henry Thompson. He was cut down with a sword, as Wilkinson and the Doyles had been. The affidavit made by Harris for the use of Oliver of the Investigating Committee, is the best account of what occurred at his house:

I reside on Pottawatomie creek, near Henry Sherman's, in Kansas Territory. I went there to reside on the last day of March, 1856, and have resided there ever since. On last Sunday morning, about two o'clock (the 25th of May last), whilst my wife and child and myself were in bed in the house where we lived, we were aroused by a company of men who said they belonged to the northern army, and who were each armed with a sabre and two revolvers, two of whom I recognized, namely, a Mr. Brown, whose given name I do not remember, commonly known by the appellation of "old man Brown," and his son Owen Brown. They came in the house and approached the bedside where we were lying, and ordered us, together with three other men who were in the same house with me, to surrender; that the northern army was upon us, and it would be no use for us to resist. The names of these other three men who were then in my house with me are, William Sherman, John S. Whiteman, the other man I did not know. They were stopping with me that night. They had bought a cow from Henry Sherman, and intended to go home the next morning. When they came up to the bed, some had drawn sabres in their hands, and some revolvers. They then took into their possession two rifles and a Bowie knife, which I had there in the room—there was but one room in my house—and afterwards ransacked the whole establishment in search of ammunition. They then took one of these three men, who were staying in my house, out. (This was the man whose name I did not know.) He came back. They then took me out, and asked me if there were any more men about the place. I told them there were not. They searched the place but found none others but we four. They asked me where Henry Sherman was. Henry Sherman was a brother to William Sherman. I told them that he was out on the plains in search of some cattle which he had lost. They asked if I had ever taken any hand in aiding pro-slavery men in coming to the Territory of Kansas, or had ever taken any hand in the last troubles at Lawrence, and asked me whether I had ever done the free State party any harm or ever intended to do that party any harm; they asked me what made me live at such a place. I then answered that I could get higher wages there than anywhere else. They asked me if there were any bridles or saddles about the premises. I told them there was one saddle, which they took, and they also took possession of Henry Sherman's horse, which I had at my place, and made me saddle him. They then said if I would answer no to all the questions which they had asked me, they would let me loose. Old Mr. Brown and his son then went into the house with me. The other three men, Mr. William Sherman, Mr. Whiteman, and the stranger were in the house all this time. After old man Brown and his son went into the house with me, old man Brown

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days, and his integrity and veracity are beyond question. Concerning Harris, he says:

"I have no recollection of a man ever living there by the name of James Harris. So I think that if there ever was such a man lived there he must have been a border-ruffian stopping with the Shermans, as their House was Headquarter for the border ruffians in those days."

Harris might have been some tenant, living temporarily in Dutch Henry's house. His wife might have been housekeeper there, as Henry was unmarried.

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asked Mr. Sherman to go out with him, and Mr. Sherman then went out with old Mr. Brown, and another man came into the house in Brown's place. I heard nothing more for about fifteen minutes. Two of the northern army, as they styled themselves, stayed in with us until we heard a cap burst, and then these two men left. That morning about ten o'clock I found William Sherman dead in the creek near my house. I was looking for Mr. Sherman, as he had not come back, I thought he had been murdered. I took Mr. William Sherman out of the creek and examined him. Mr. Whiteman was with me. Sherman's skull was split open in two places and some of his brains was washed out by the water. A large hole was cut in his breast, and his left hand was cut off except a little piece of skin on one side. We buried him.

No other members of the company went with Henry Thompson and Weiner when Sherman was killed. He was taken into the bed of the stream and executed by Thompson and Weiner. The account of this matter written by Salmon Brown for the author of this work is here given.[5]

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[5] The confession of Townsley was obtained on the 3rd of August, 1882, and is here set out:

"I joined the Pottawatomie Rifle Company at its re-organization, in May, 1856. At that time, John Brown, Jr., was elected Captain. On the 21st of this month, Lawrence was sacked by a Pro-Slavery mob, under Sheriff Jones, and on the day of the sacking, information was received that a movement to that end was in progress. The company was hastily called together, and a forced march to aid in its defence immediately determined upon. We started about four o'clock in the afternoon. About two miles south of Middle Creek, the Osawatomie company, under Captain Dayton, joined us. Upon arriving at Mount Vernon, we halted for two hours, until the rising of the moon. After marching the rest of the night, we went into camp, near the house of John T. Jones, for breakfast. Just before reaching this place, we learned that Lawrence had been destroyed the day before, and the question arose whether we should go on or return. It was decided to go on, and we proceeded up Ottawa Creek to within about five miles of Palmyra. We remained in camp undecided over night, and until noon of the next day. About this time, Owen Brown, and a little later, old John Brown himself, came to me and said information had just been received that trouble was expected on the Pottawatomie. The old man asked me if I would go with my team and take him and his boys down there, so that they could watch what was going on. I replied that I would do so, my reason being that my family was then living on the Pottawatomie, in Anderson County, about one mile west of Greeley. Making ready for the trip as quickly as possible, we started about two o'clock in the afternoon. The party consisted of old John Brown, and four of his sons—Frederick, Oliver, Owen and Watson—Henry Thompson, his son-in-law, Mr. Winer and myself. Winer rode a pony; all the rest rode in the wagon with me. We camped that night between two deep ravines about one mile above Dutch Henry's crossing.

"After supper, John Brown first revealed to me the purpose of the expedition. *He said it was to sweep the Pottawatomie of all Pro-Slavery men living on it.* To this end he desired me to guide the company some five or six miles up to the forks of the creek, into the neighborhood where I lived, and point out to him on the way up, the residences of all the Pro-Slavery men, so that on the way down, he might carry out his design.

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We started off with the cheers of quite a crowd with their hats in the air, they knowing the purport of our mission. On the way back old man Townsley got weak in the knees and wanted to quit from sheer fear, but we wouldn't let him go, fearing he might turn traitor and foil our plans.

We went down to near the crossing at Dutch Henry's and turned off [to] the right up a deep grassy canyon next to the timber on the creek, far away from all travel. We stayed there that night and all of the next day till late in the evening. The reason for taking the night for our work was that it was impossible to take the men in the daytime, and also using the broad swords in a noiseless manner, as shooting would have aroused the whole neighborhood. We went to Doyle's first and

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Horrified at his purpose, I positively refused to comply with his request, saying that I could not take men out of their beds and kill them in that way. Brown said, 'Why won't you fight your enemies.' To which I replied, 'I have no enemies I can kill in that way.' Failing to prevail upon me, he decided to postpone the expedition until the following night, when they would go, as the old man himself said, where they knew Pro-Slavery men to be. I then proposed to him that he take his things out of my wagon and allow me to go home; to which he replied that, 'I could not go, that I must stay with them; there was no other way of getting along.' We remained in camp that night and all the next day. During the morning of this day, the 24th, I tried to dissuade him and his boys from carrying out the expedition, and to this end talked a great deal. Brown said it was necessary to 'strike terror into the hearts of the Pro-Slavery party,' and taking out his revolver, said to me, 'Shut up! You are trying to discourage my boys. Dead men tell no tales.' From the last remark, I inferred that I must henceforth keep still or suffer the consequences. Shortly afterward I stepped down into the ravine, when Owen Brown and Henry Thompson each picked up his rifle and, without saying a word, walked down the banks of the ravine on either side of me. When I returned, they returned. But little more was said during the day.

"Some time after dark we were ordered to march, and went northward, crossing Mosquito Creek above the residence of the Doyles. Soon after crossing the creek, one of the party knocked at the door of a cabin, but received no reply. I do not know whose cabin it was. We next came to the residence of the Doyles. John Brown, three of his sons and son-in-law, went to the door, leaving Frederick Brown, Winer and myself a short distance away, ostensibly to see that no one escaped from the house, but really, as I believe, that Brown and Winer might act as guard over me. About this time a large dog attacked us. Frederick Brown struck the dog with his short two-edged sword, after which I struck him, also with my saber. I do not know whether or not the dog was killed, but we heard no more of him.

"The old man Doyle and his sons were ordered to come out. This order they did not immediately obey, the old man being heard instead to call for his gun. At this moment Henry Thompson threw into the house some rolls or balls of hay in which during the day wet gunpowder had been mixed, setting fire to them as he threw them in. This stratagem had the desired effect. The old man and his sons came out, and were marched about one-quarter of a mile in the road toward Dutch Henry's crossing, where a halt was made. Here *old John Brown drew his revolver and shot old man Doyle in the forehead,* killing him instantly; and Brown's two youngest sons immediately fell upon the Younger Doyles with their short two-edged swords. One of the young Doyles was

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encountered a number of savage dogs. Old man Townsley went after the dogs with a broad sword and he and my brother Fred soon had them all laid out. Townsley went in without being asked to and worked with all his might, not as a prisoner as he has since claimed. The three Doyles were taken out of the house and half mile or so away, and were slain with the broad swords. Owen Brown cut down one of them and another son cut down the other and the old man Doyle. Old man Doyle's wife gave the Doyles a terrible scoring as they left the house. She said, "I told you you would get into trouble with all your devilment." Henry Sherman was killed by Henry Thompson, and also Wilkinson, about the same time that the Doyles were killed. Our party divided, Thompson and Weiner in one party, and Owen Brown,

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quickly dispatched; the other, attempting to escape, was pursued a short distance and cut down also. We then went down Mosquito Creek, to the house of Allen Wilkinson. Here, as at the Doyle residence, old John Brown, three sons, and son-in-law, went to the door and ordered Wilkinson out, leaving Frederick Brown, Winer and myself in the road a little distance east of the house. Wilkinson was marched a short distance south and killed by one of the young Browns with his short sword, after which his body was dragged to one side and left lying by the side of the road.

"We then crossed the Pottawatomie and went to Dutch Henry's house. Here, as at the other two houses, Frederick Brown, Winer and myself were left outside a short distance from the door, while old man Brown, three sons and son-in-law went into the house and brought out one or two persons with them. After talking with them some time they took them back into the house, and brought out William Sherman, Dutch Henry's brother, and marched him down into Pottawatomie creek, where John Brown's two youngest sons slew him with their short swords, as in the former instances, and left his body lying in the creek.

"It was Brown's intention to kill Dutch Henry, also, had he been found at home, as well as George Wilson, Probate Judge of Anderson County, had he been found at Dutch Henry's house, as it was hoped he would be.

"The killing was done with swords in order to avoid alarming the neighborhood by the discharge of fire-arms. What mutilation appeared upon the bodies was consequent upon the manner in which the men were killed.

"I did not then approve of the killing of those men, but Brown said it *must be done for the protection of the Free-state settlers; that it was better that a score of bad men should die than that one Free-state man should be driven out.* It was my refusal to pilot the party into the neighborhood where I lived that caused us to remain in camp all night, May 23, and all day May 24. I told him I was willing to go to Lecompton and attack the leaders, or to fight the enemy anywhere in open field, but that I could not kill the men in that way. The deeds of that night are indelibly stamped upon my memory.

"In after years my opinion changed as to the wisdom of the massacre. I became, and am, satisfied that it resulted in good to the Free-state cause, and was especially beneficial to the Free-state settlers on Pottowatomie Creek. The Pro-Slavery men were dreadfully terrified, and large numbers of them soon left the Territory. It was afterward said that one Free-state man could scare a company of them.

"Immediately after the killing of William Sherman, the two sons of Brown who had done all the killing, except the shooting of the old man

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Fred Brown, Salmon Brown, Oliver Brown and old man Townsley in the other, father running back and forth between the parties. Father never raised his hand in slaying these men. We went to our camp and stayed all the next day until quite late in the evening. We left and Townsley was more than willing to go with us. The night of the slaying of these men I went alone to the house of Mr. Harris, who worked for Dutch Henry, and had the care of his fine grey stallion, and made him saddle the horse and hold the stirrup for me to mount, which he did in fine shape. I said "thank you and goodby" and I have never seen him since. I traded the horse to some parties from up North for two Missouri race horses that they had captured from some invading Missourians. Harris afterward made a report of this as it was before an investigating

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Doyle, washed their swords in Pottawatomie Creek. I did not wash my sword, having done nothing with it but strike the dog.

"Soon after midnight we went back to where my team and the other things had been left, and remained there in camp until the next afternoon. Just before daylight Owen Brown came to me and said 'There shall be no more such work as that.'

"In the afternoon we started back to join the Pottawatomie company under John Brown, Jr. We reached them about midnight, in camp near Ottawa Jones' place. When daylight had come, some members of the company noticing the blood and hair upon my sword, picked it up, and after examining it, remarked, 'There is no human blood upon that saber!' This was the end of the expedition."

Townsley was questioned about this matter by W. H. Sears of Lawrence, Kansas, in the latter part of August, 1888. Mr. Sears has kindly furnished the author of this work the notes made by him at that interview.

"LAWRENCE, KANSAS, APRIL 24, 1911.

"Hon. William Elsey Connelley,
"Topeka, Kansas.

"My Dear Mr. Connelley:—

"In compliance with my promise I send you herein a verbatim copy of my original pencil notes taken at the interview I had with James Townsley, at Lane, Kansas, during the week of the old settlers meeting held in a grove across the river from Lane, the latter part of August, about the year 1888. James Chalfant, Jr., of Lawrence, Kansas, was present at this interview, and heard Townsley tell the story of the killing of the settlers on the Pottawatomie, May 24th, 1856. The notes are as follows:—

" 'James Townsley, born in Md. was 72 years old the 29th of August. Enlisted in the U. S. Army under Scott in the Seminole War in Ala., and then Florida. Drove team—Came to Kansas in 1855. Saw John Brown near Lane in the spring of 1856. Joined Brown's Company. Started on May 22nd for Lawrence to help Free State men; but messenger met us and sent us back. Brown wanted Townsley to show him where all the pro-slavery men lived. He refused but Brown compelled him to go. Camped on Pottowattomie Creek on May 23rd, 1856, and Townsley tried to persuade Brown not to make the raid. Brown said he intended to sweep the creek of every pro-slavery man. Townsley then went to the Brown boys and tried to influence them. Brown pulled a pistol on him and told him he was trying to discourage his boys, and told him to stop. The first cabin they visited there was a man inside loading a rifle and they left him, Brown saying, "Don't care much about him any way." Took Doyle and his two sons half mile

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committee. We moved back towards our place near Middle Creek and camped.

One of the raging controversies of Kansas history has been over the motives of John Brown in killing the five men at Dutch Henry's Crossing. No conclusion satisfactory to all historians has ever been arrived at. A historical character must be tried in the times in which he lived and by the conditions under which he operated.

Dutch Henry had lived in Missouri before coming to the Indian country which was later to be Kansas. He first worked for John T. Jones. About 1842 he set up for himself at the point where the California Road from Southern Kansas and Southwest Missouri crossed Pottawatomie

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from their home. Brown turned and shot old man Doyle, and Brown's sons cut the Doyle boys down with sabers. Wilkerson, Postmaster under Buchanan. Brown called him out, and after taking him half a mile, the two youngest Brown Boys, Oliver and Watson, cut Wilkerson down with sabers. Next called at Sherman brothers at Dutch Henry's Crossing. House full of people. Took Bill Sherman and killed him at the ford. Brown boys did all the killing except old Doyle and John Brown killed him. It was a bright moonlight night. Townsley feigned illness when called upon to guide this expedition; but Brown felt of his pulse and said: "You are not sick, all you need is a smell of blood." This happened on the night of May 24th, 1856. After the raid they went back to their camp on Ottawa Creek. Townsley served three years in 4th Artillery, at Ft. McHenry. Served five years in 2nd dragoons and was wounded in shoulder in Indian fight in the Seminole War.'

"I well remember that Townsley said that Brown pointed a pistol at his head and compeled him to take his team and wagon and take them on this raid. Also, that Townsley saw Old John Brown shoot old man Doyle through the forehead.

"Chalfant married a Lecompton, Kansas, girl, and moved to Galveston. His father was at this time editor of the *Lawrence Tribune*, and his son James was a reporter on the paper. We went to the old settlers meeting referred to, together, driving overland in a buggy, and while at the meeting we were entertained by 'Stonewall' Clark and slept together. Senator Plumb attended this meeting, and visited Chalfant and the writer, in our reporter's tent.

"I enclose you my original notes that you may see the few changes I have made do not materially change the sense of facts stated.

"Very sincerely yours,

"(Signed) W. H. Sears."

The following letter of F. B. Sanborn to the author will be of interest. That Governor Robinson also favored the assassination of leading Pro-Slavery men in 1856 was charged. See Villard's John Brown, p. 184.

Concord, Mass., Sept. 17, 1916.

Dear Mr. Connelley:

Eli Thayer was a violent, impulsive person, whose zeal went far beyond his prudence, in his first labors for Free Kansas, and who was so upset by the election of Buchanan in 1856 that he proposed, in my hearing, at the old Emigrant Aid Rooms in Winter Street, Boston, at a meeting in November, to send on orders to Kansas to have Atchison and Stringfellow assassinated, as a preliminary to what we were to do next in the Territory. Robinson at that time was equally sanguinary, and had no

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Creek.[6] He engaged in the business of raising cattle and horses. He, dealt much in cattle. Two brothers lived with him; Dutch Pete and Dutch Bill. They were all well known to the early settlers. Pete was simple minded, very nearly an idiot. He sometimes lived at a house some distance away. It was supposed at one time that quite a city would spring up at Dutch Henry's Crossing, which caused many of the first settlers of that region to select that point as a home. Dutch Henry kept a supply of whiskey to be sold to freighters, and, later to the early settlers. He was the leader of the Pro-Slavery element in that region. The Georgians camped to the southwest of the crossing, as we have seen.

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fault to find with John Brown for any of his acts of violence. He, Thayer, continued in this state of mind for a year or two, and promoted Brown's wishes in respect to arms and supplies for Kansas. He had been chosen to Congress in 1856, and was reelected in 1858. But he had by that time formed his chimerical plans for a free colony in western Virginia, to be called "Ceredo," and was introducing ideas of pecuniary profit along with his free-state principles. Robinson had even earlier begun to practice on that plan, and was trading this way and that, as you know. Thayer probably had lost money by his Kansas ventures, and politically cooled so much that the Republicans in 1860 would not renominate him for Congress, but chose a man from the Fitchburg end of the Worcester district,—the same which G. F. Hoar afterward represented, before he became Senator. When the war came on, Thayer got himself appointed by Secretary Chase one of his many treasury agents in 1861-2; and planned schemes for colonizing freedmen in Florida, Utah and in S. America; but these were absurd, and came to nothing. From 1864 to 1870, Thayer was land-agent for a railroad in Missouri, with an office in New York; but, like Robinson in Kansas, with whom, I think, he generally agreed, he disliked and distrusted Lincoln, but I think he favored his reelection. Like Robinson, he claimed to have been one of the chief agents in emancipation, but he took no active interest in Kansas after 1858. His son has always been a Democrat, and has represented the Worcester District, as his father did; but as a regular Democrat.

Does this answer your question? I knew Thayer well in 1856-59, but seldom after that. Few persons had much confidence in his judgment.

Yours truly,
F. B. SANBORN.

"GREELEY, KANSAS, JAN. 5th, 1909.

[6] "W. E. Connelley,
"Topeka, Kans.

"Dear Sir:

"Yours of the 3rd received and in reply would say that in the fall of 1854 I settled near the Dutch Henry Crossing and got acquainted with the Shermans Brothers—They were the only settlers then in this part of the country—and they had been living there for twelve years—They were farming some land and had a fine herd of cattle and Horses running on the range.

"They were living in a log house just across the little Branch about one half mile east from the crossing on the South side of the creek—and this is the house that I think William Sherman was taken from the night that he was killed."

(Signed) J. N. BAKER.

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After their arrival the Pro-Slavery men in the neighborhood became bold and aggressive against the Free-State settlers.

An old gentleman named Morse kept a small store not far from Dutch Henry's house. He was a widower with a small child. One day, William Sherman, in the absence of his brother in Missouri, carried a rope to Morse's store to hang him. He was notified to leave by eleven o'clock, after the Ruffians had consented to spare his life. It was impossible for him to arrange his affairs in so short a time. Sherman returned at eleven o'clock and attempted to kill Morse with an axe, but relented at the pleadings and tears of his child. He was, however, warned to be gone by sundown and that there would be no farther trifling with him. If found there at that time he would be killed. The story of the outrageous conduct toward Morse was told by George Grant.[7]

The next morning, after the company had started to go to Lawrence, a number of these pro-slavery men, Wilkinson, Doyle, his two sons, and William Sherman, known as "Dutch Bill"—took a rope and were going to hang him [Morse] for selling the lead to the Free State men. They frightened the old man terribly; and finally told him he must leave the country before eleven o'clock, or they would hang him. They then left and went to the Shermans and went to drinking. About eleven o'clock a portion of them, half drunk, went back to Mr. Morse's and were going to kill him with an axe. His little boys—one was only nine years old—set up a violent crying, and begged for their father's life. They finally gave him until sundown to leave. He left everything and came at once to our house. He was nearly frightened to death. He came to our house carrying a blanket and leading his little boy by the hand. When night came he was so afraid that he would not stay in the house, but went out doors and slept on the prairie in the grass. For a few days he lay about in the brush, most of the time getting his meals at our house. He was then taken violently ill and died in a very short time. Dr. Gilpatrick attended him during his brief illness, and said that his death was directly caused by the fright and excitement of that terrible day when he was driven from his store.

Notices were given the Free-State settlers to leave in three days, threatening them with death if they refused. Weiner had been threatened. He had a claim at the head of Mosquito Creek, on which he had a residence and store building combined. Later, his house was burned, and his goods and business were destroyed.

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[7] Baker gives an account of another outrage on Morse, perpetrated by the Doyles:

"In the spring and summer of 1855 Emigration began coming in and there was quite a Settlement along the creek—and in 1857 there was quite a large Emegration and some town had been laid oute—the little Town at the crossing had been laid oute and named Shermanville a man by the name of Morss had opened up a store in a little log cabbin and it was in this Store that the Doyles Brothers went and got in some truble with the old man becuse he refused to loan them his shot gun so they got very mad and abused and threatened him in a very rough manner and finly told him that he must leave the country and that they would only give him five days to get oute. But before the five days was up they left the country and the Old Man did not."

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A young woman, a wife of a Free-State man had been threatened by the Pro-Slavery men with death. One of them said to her, "I will cut your head off so quick that you will see your own heart's blood."

Allen Wilkinson was the postmaster. The postoffice was called Shermansville. He had been elected to the bogus Legislature by Missourians, and was active in the enactment of the bogus laws.

Mr. Villard in discussing the causes of the Pottawatomie murders has this to say:

> The stories of Bondi, Weiner, Benjamin and Townsley all had their effect upon the Browns. According to Horace Haskell Day, son of Orson Day, when his father went to Weiner's store, which was just one and a half miles from the Doyles' cabin, he found a notice up that all Free State men must get off the creek within thirty days, or have their throats cut. Weiner said to Mr. Day: "We ought to cut their throats." Mr. Day not consenting, Weiner said: "That is the way we serve them in Texas,"—from which place he had come. Orson Day being a brother-in-law of John Brown and residing directly opposite John Brown, Jr., it would have been easy for him to repeat this happening to his relatives. There are witnesses like Mr. M. V. B. Jackson, who heard from Weiner, Bondi and Townsley direct the threats made against them. Mr. Jackson testifies that three days was the time of grace allowed to Weiner, Benjamin and Bondi, at the expiration of which they were to leave under pain of lynch law. "I know," he has affirmed, "that there was a reign of terror, of which the men who were killed were the authors; and I am surprised that any one should believe that the killing of these men was without reasonable excuse."

There is no doubt but the general conditions existing in the Territory had much to do with John Brown's action. What he and his sons had heard in the Georgian camp also had an influence. The fact that Judge Cato had issued warrants against Free-State settlers about Osawatomie and Dutch Henry's Crossing must also be considered. That these warrants were in the hands of the Doyles, deputy constables, to be served, must be remembered. The fact that many Free-State men had been murdered in the Territory, and that Lawrence had been sacked, and that there was every reason to believe that the Border-Ruffians would continue their course toward the Free-State settlers of Kansas, must have had weight. In the first accounts written of Kansas Territory will be found many things which it is not possible to set out in this work. In the light of later research a good portion of what is there stated has been disproven.

The question as to whether any of the Free-State leaders were involved in John Brown's course on the Pottawatomie, is another which has brought out much discussion. On this point the letter of Samuel C. Pomeroy is given for what it may prove to be worth.

> I am waiting here quietly to see the progress of Mason's "Investigating Committee." They have *declined* to *summon* me—or any other man, who *dare under oath, defend* John Brown!! I don't care what are the consequences to me *politically,* I will, upon the first occasion, at the Capitol of this country—*defend* that old man who offered up himself *gloriously*—from the *charge* or *crime* of *murder!* No blow had been

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struck by anyone of us—up to May 21st, 1856. I was in command as Chairman of the "Committee of Public Safety," at Lawrence, upon that *memorable occasion.*

I insisted—though our Town was threatened with destruction—and the invading army was then within *12 miles* of Town and numbered over 1200 men—well armed—that we should give the *Government* a *fair opportunity* to *protect us.* And to this end I applied to those in authority. But in the course of that day I found that the Government was yielded to the "border Ruffians."—I still insisted (though against the earnest appeal of John Brown & his men) that the *government should commit* the *first overt* act. And I told *them, then* and *there,* that so soon as I could demonstrate before this Country that the Government was powerless for *protection,* Then I *was with them,* for taking care of *ourselves!* So *we stood still,* upon *that day* and saw our Presses & buildings *madly destroyed.* The few monuments of our civilization which had been hastily erected, were strewn to the winds, or consumed in the *flames!*

Upon the morning of the 22nd of May we called a little meeting—of *sad* but *earnest* men. Taking each other by the hand we convenanted, each with the other, that what there was *left* to *us in this life,* and if *need be,* all we hoped for in the life to come, should now be *offered up,* to the FREEDOM OF KANSAS, and the country.

A poorly written badly spelled note, passed round that meeting that Doyl, Wilkinson, Sherman, and others upon the Pottawatomie Creek, had insulted the females of *one family,* whose *head was then present,* and warned others under pain of death to leave the Territory by the 25th Inst., *that very week!* What could I say? Or do? I had withheld our impatient men, until before us lay the smoking ruins of the *home* we loved the *best,* of any spot upon earth.

You know what was *said* and *"did."* As the Government afforded no protection to us, even when we placed ourselves under its *special protection,* it was *then* and *there* Resolved—that every man be [we?] met that *invaded* or *threatened* our lives. or homes, or our families & *friends, should without delay* of *law* or *courts,* or *officers,* be *driven* to Missouri or to *death!!*

We separated that morning, *each* to the *great work* of *life,* viz., *to do his duty*—to himself—to *his country* & to *his God.* John Brown did not personly go the whole distance with the party that went down upon the Pottawatomy creek. But he *approved* of the course *decided* upon for action,—and So DID I! And I am not now going to *repudiate* old *Brown,* or to shrink from the responsibility!

He did not *commit* the "murders" as they are called, but we all then *endorsed them,*—and from *that hour* the *invaders fled.* That *one act* struck terror into the hearts of our enemies, and gave us the dawning of success! Those deaths I have no doubt saved a *multitude* of lives, and was the cheapest sacrifice that could be offered!

The murders were generally approved by the Free-State people. Governor Robinson found nothing wrong in them until after the year 1879. He likened John Brown to Jesus Christ, and said that the blow on the Pottawatomie was a great service to the Free-State cause. It was only when the question as to who made Kansas came up at the Old Settlers Meeting, held at Lawrence, September 15 and 16, 1879, was the value and help of the Pottawatomie murders questioned. In order to exalt himself and Eli Thayer, Robinson employed G. W. Brown, formerly editor of the *Herald of Freedom* to attack John Brown and his

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course in Kansas. It was his theory that if general condemnation could be heaped upon John Brown's memory, as well as upon that of James H. Lane, that there would be no other person left to have made Kansas than Robinson and Thayer. That is the basis of all the controversial writing on this subject. The campaign inaugurated against the memory of John Brown at that time had its culmination in a work written by Hill P. Wilson, some mention of which may be seen on page 426, Volume 13, *Kansas Historical Collections*. Such attacks have never yet affected the verdict rendered by posterity in favor of any great historial character. Their failure in this instance has been notable. The fame of John Brown has constantly increased and will continue to do so.

The same may be said of the fame of James H. Lane. The people of Kansas are becoming more and more appreciative of his great service.

The excuse made by Governor Robinson—that he did not know that John Brown had lead the party that killed the Ruffians at Dutch Henry's Crossing until after Townsley made his first confession—cannot be accepted. It was well known at once who led the band. A courier burst into the camp on Ottawa Creek the next day, so Jason Brown says, crying out that Old John Brown had killed five men on the Pottawatomie. This company was not surprised, for John Brown had told the members of it that he intended to slay these men when he left camp. Full accounts of the murders were published in the *Report of the Investigating Committee* that same year, 1856. That work was widely distributed in Kansas and read by all. John Brown never denied that he was the leader of that party. H. Clay Pate led a Border-Ruffian force into Kansas to capture John Brown for the Pottawatomie killing. Brown captured him at Black Jack. Governor Robinson did know that John Brown was the leader of the men who killed the five Ruffians on the Pottawatomie. He endorsed the murders fully and unqualifiedly then and long afterwards.

"I never had much doubt that Capt. Brown was the author of the blow at Pottawatomie, for the reason that he was the only man who comprehended the situation, and saw the absolute necessity of some such blow and had the nerve to strike it," wrote Governor Charles Robinson, February 5, 1878, nearly two years before Townsley's confession was published.

Thomas Wentworth Higginson, in his "Cheerful Yesterdays," states:

> In regard to the most extreme act of John Brown's Kansas career, the so-called "Pottawatomie massacre" of May 24, 1856, I can testify that in September of that year, there appeared to be but one way of thinking among the Kansas Free State men. . . . I heard of no one who did not approve of the act, and its beneficial effects were universally asserted—Governor Robinson himself fully endorsing it to me. . . .

The Pottawatomie murders affected both the Free-State and Pro-Slavery interests in Kansas Territory. Many of the Pro-Slavery people left the Pottawatomie country and fled to Missouri. Some of them never

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returned. On the other hand, bands of the Border-Ruffians recently at Lawrence, spread over the Territory and committed many outrages. But the Free-State emigrants continued to come in ever increasing numbers.

The people in the vicinity of Dutch Henry's Crossing met on the 28th of May and adopted resolutions condemning the murders. The fact that H. H. Williams was Secretary of this meeting is conclusive proof that these resolutions were passed for the purpose of warding off the wrath of the Border-Ruffians who might desire to be revenged on the Free-State settlers for the acts of Brown's company. Even the Border-Ruffians understood that. The Free-State people all over the Territory approved the act.

WHEREAS, An outrage of the darkest and foulest nature has been committed in our midst by some midnight assassins unknown, who have taken five of our citizens at the hour of midnight from their homes and families, and murdered and mangled them in the most awful manner; to prevent a repetition of these deeds, we deem it necessary to adopt some measures for our mutual protection and to aid and assist in bringing these desperadoes to justice. Under these circumstances we propose to act up to the following resolutions:

Resolved, That we will from this time lay aside all sectional and political feelings and act together as men of reason and common sense, determined to oppose all men who are so ultra in their views as to denounce men of opposite opinion.

Resolved, That we will repudiate and discountenance all organized bands of men who leave their homes for the avowed purpose of exciting others to acts of violence, believing it to be the duty of all good disposed citizens to stay at home during these exciting times and protect and if possible restore the peace and harmony of the neighborhood; furthermore we will discountenance all armed bodies of men who may come amongst us from any other part of the Territory or from the States unless said parties shall come under the authority of the United States.

Resolved, That we pledge ourselves, individually and collectively, to prevent a recurrence of a similar tragedy and to ferret out and hand over to the criminal authorities the perpetrators for punishment.

C. H. PRICE, President
R. GOLDING, Chairman
R. GILPATRICK
H. H. WILLIAMS, *Secretary.* — W. C. McDOW, S. V. VANDAMAN, A CASTELE, JOHN BLUNT — *Committee.*

Andreas, when writing his *History of Kansas,* gathered much concerning this matter. An extract is made from that great work, taken from page 604,—Franklin County:

There can be no doubt that old John Brown was the leader of the party that committed the Pottawatomie massacre. That he, with his own hand, shot James P. Doyle seems almost equally well established. James Townsley has emphatically testified to it over and over again. Brown habitually carried a revolver, and was too brave and consistent a man to influence other men, especially his own sons, to do what he would not do himself. He believed it was a step necessary to prevent a

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similar massacre of the Free-state settlers by their Pro-slavery neighbors, and that it was only a question as to who should strike the first blow. At the time the blow was struck opinion was divided even among the Free-state men as to its necessity, but as time has passed the numbers of those living in the immediate neighborhood who approve of it has increased.

The question as to whether it was justifiable depends primarily on its necessity. And its necessity depends on whether there was a conspiracy among the Pro-slavery settlers to massacre the Free-state men.

James Townsley says that George Wilson, whom Brown hoped to find and kill at Dutch Henry's, "had been notifying Free-State men to leave the Territory. He had received such a notice from him himself."

Judge Hanway, in the same letter from which we have already quoted says: "I was personally acquainted with the Doyles, Wilkinson and Sherman and am fully satisfied, as everybody else is, who lived on the creek in 1856, that *a base conspiracy was on foot to drive out, burn and kill;* in a word, the Pottawatomie Creek from its mouth to its fountain head *was to be cleared of every man, woman and child who was for Kansas being a free State!*"

I will give one item which has never been published. When the party called at the house of the Shermans, Mrs. Harris, who was living there, *commenced getting breakfast,* believing the party that had arrived were friends who were expected from Missouri to carry out the Border Ruffian plan of clearing the creek of Abolitionists. This important fact alone is evidence that John Brown was correct in his predictions. This evidence came through a moderate Pro-slavery man, who was astonished to learn that such a plan was under consideration:

"Threats were made to various persons: 'Squire Morse, John Grant and his family, Mr. Winer and others.

"Old John Brown was at my house at various times in 1858. He asked me how the people on the creek regarded the killing of Sherman and the others at that time. My remark was that 'I did not know of a settler of '56 but what regarded it as amongst the most fortunate events in the history of Kansas—that this event saved the lives of the Free-State men on the creek—that those who did the act were looked upon as deliverers.'

"The old man said, 'The first shock frightened the Free-state men almost as much as the ruffians, but I knew that when the facts were understood a reaction would take place. If the killing of these men was murder, then I was an accessory.' The remark did not surprise me, because I had heard his brother-in-law, Rev. S. L. Adair, say that the old man had said the same to him.

"Take in connection the fact of John Brown running into the Border Ruffian camp with his surveying instruments, and there hearing the plans on foot to drive out or exterminate the settlers on the creek, and I think we have sufficient reason to believe that our lives were in danger, and that John Brown and his little band saved us from premature graves."

The Battle of Black Jack

On the 26th of May, John Brown and his company went to the claim of Jason Brown on Brown's Branch, where they made a camp in the timber. A. O. Carpenter, who lived south of Palmyra, in Douglas County, went to the camp and requested John Brown to lead his company to the head waters of Ottawa Creek, saying that there were two parties in that

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vicinity, searching for those who had slain the men on the Pottawatomie. That night Brown led his men in the direction of Palmyra. In the party were John Brown, Frederick, Salmon, Owen and Oliver Brown, Henry Thompson, Weiner and Townsley and August Bondi. Carpenter was the guide. A company of soldiers had camped in a lane near the California crossing of the Marais des Cygnes River. The picket challenged with the question, "Who are you?" John Brown answered that "there are a few of us going toward Lawrence." The sentry said they might pass on. The men immediately rushed through the lane, and were quickly out of sight. Early the next morning they went into a deep wood on the broad bottom of Ottawa Creek and camped near a spring of good water. This camping-place was near one of the crossings later used by the Federal Government in carrying supplies from Leavenworth and Lawrence to Fort Scott. It was at this camp that James Redpath found John Brown on the 30th of May. Redpath was a newspaper correspondent. He was born in Berwick, Scotland. He was in thorough sympathy with the Free-State cause and did it much good service, and later he wrote a biography of John Brown.

Captain Shore lived only a little way to the north of John Brown's camp. On the 31st of May he visited Brown, bearing some provisions, and said that a large party of Missourians were then camped at Black Jack, a point on the Santa Fe Trail, five miles east of Palmyra. It is well to say here that there were two places on the Santa Fe Trail known as Black Jack. They were some seven miles apart. The Black Jack at which the Missourians were camped was sometimes known as Black Jack Springs. The Black Jack famous in the annals of the old Santa Fe Trail was locally known as Black Jack Point. It was the place where the Trail reached the greatest elevation in going from Palmyra to Willow Springs. It is probably the highest point in that country, and the view from it is magnificent.

After a discussion of the conditions prevailing about Palmyra, it was decided to make some show of resistance to the Missourians encamped at Black Jack. Captain Shore was to assemble his company and repair to Prairie City, where John Brown was to meet him before 10 o'clock on the 1st of June. When they arrived there it was found that church services were to be held. So many people assembled that only the women could be admitted to the church. The men, bearing their guns, stood about the door. Three horsemen went by the church at a rapid pace, headed for Black Jack. The horse of one of them fell, and he was captured, as were his companions, who held up to see if he had been injured in the fall. They were carried before John Brown, who questioned them closely. They said they belonged to the company of H. Clay Pate, who had been made a deputy United States Marshal. Pate lived at that time at Westport, and had been at the sacking of Lawrence, where his horse was gaily decorated in ribbons in honor of the destruction of that city. Upon hearing of the death of the Pro-Slavery men on the Pottawatomie, he had immediately set out to search for the Browns, stopping first at Paola. These prisoners told Brown that Pate had captured a preacher

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named Moore. Two of Moore's sons were in Captain Shore's company, and they urged that the combined force of Captain Shore and John Brown immediately attack Pate and attempt to rescue their father. This, however, could not be done. Pate's men had committed robberies about Palmyra on the 31st of May. It was decided by Brown and Shore to attack Pate the next morning. The total force of the two companies was about forty men. They started that night for Black Jack. Many of them fell out of the ranks and did not get there. On the march, John Brown, who at that time had been given the title of Captain, led the advance. Near midnight the Free-State men halted at a grove some two miles west of Black Jack. The plan of battle was there agreed to. Brown was to be in command. The horses were left in the grove under the care of Fred Brown. Five men were detailed by Captain Shore to remain with Fred Brown to watch their horses. John Brown's company was to be in the center of the line with Captain Shore's men thrown out as skirmishers on the flanks. In this formation they were to charge the camp of Pate. These arrangements consumed much time. It was daylight when the Free-State men again took up the march toward Pate's camp. Brown's company had received some reinforcements and consisted at that time of Captain John Brown, Owen, Frederick, Watson, Salmon and Oliver Brown, Henry Thompson, Charles Kaiser, Theodore Weiner, Carpenter, the two Moore boys, Dr. Westfall, Benjamin Cochrane, August Bondi and James Townsley.

The summit of the hill or roll in the prairie was reached within about half a mile. From that the Free-State men looked down on the camp of Pate and his Missourians. After studying the position of the enemy for a moment, John Brown called out, "Now, follow me," and he and his company started down the slope on a run. When they had gone half a mile, the Missourians began to fire at them. Brown's men did not fire, as the distance was too great, but Shore's men, who were behind, returned the fire of the Missouri pickets. As soon as the alarm was sounded, Pate's men ran to arms and began to fire volleys at the approaching enemy. Coming to the Santa Fe Road, Brown's men jumped into deep gulleys washed in the Trail, and began to fire on the Missourians. Shore's company had not followed Brown down the hill. Shore himself was there, but none of his men, who yet remained on the hill, wasting their ammunition. They fired for a time but soon left the field. John Brown got into the channel of the west prong of Captain's Creek, which gave him a sheltered position. Pate and his men took position in the bed of the other fork of Captain's Creek. The two hostile bodies were separated then by a distance of about one-eighth of a mile. But these little valleys or channels in which the combatants were sheltered united only a very short distance below.

The first wounded was Henry Thompson. He was shot through the lungs, and was lead away by Dr. Westfall. Carpenter had the end of his nose shot off, and the same bullet lodged in his shoulder. He had to be taken from the field. John Brown was passing up and down the ravine, sometimes viewing the enemy through his field glasses, and

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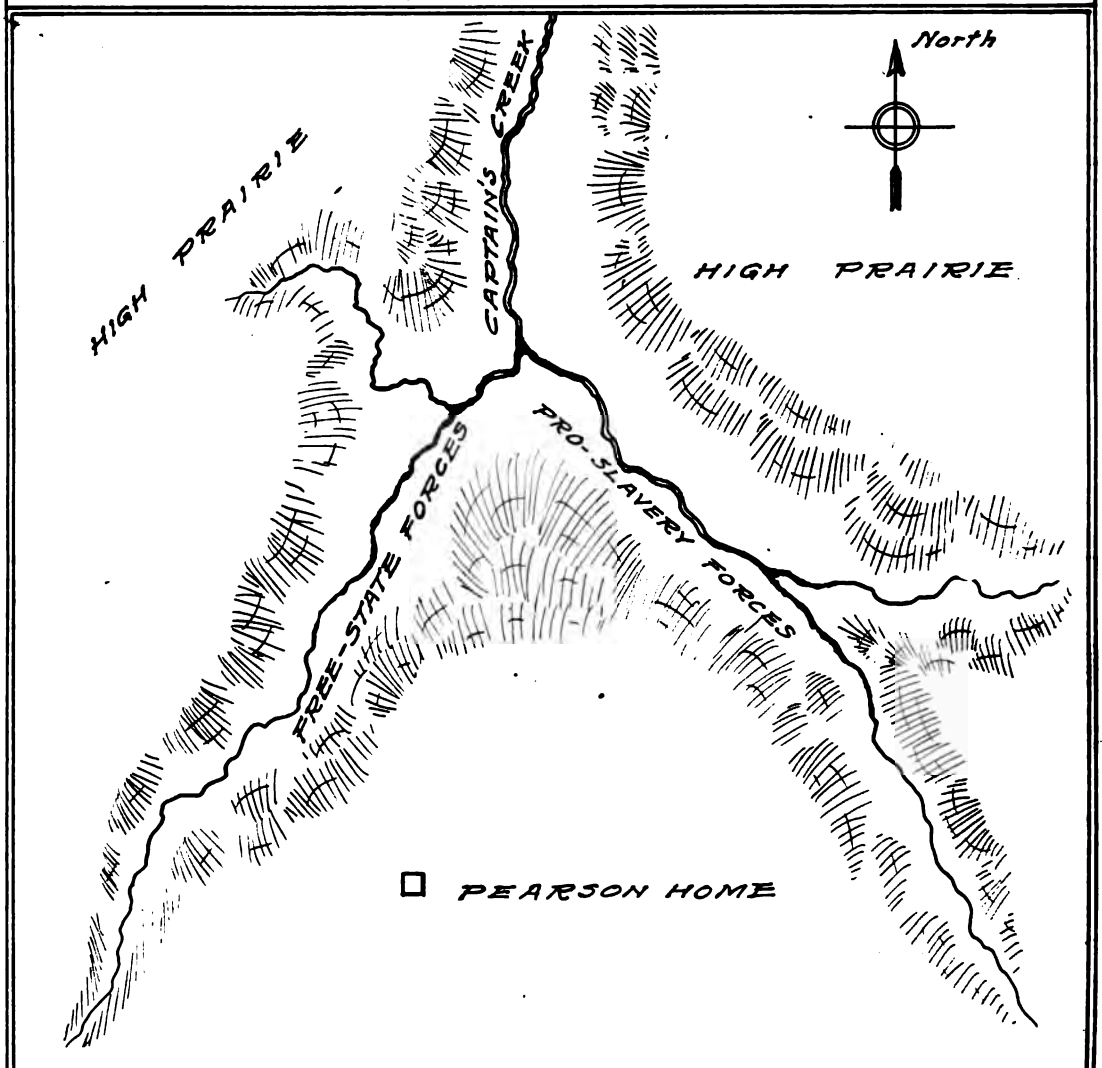
THE BATTLE-FIELD OF BLACK JACK

Drawn by:-
William Elsey Connelley

Douglas Co.,
Kans. Ter.

Oct. 10, 1908.



Fought June 2, 1856.
Free-State Forces commanded by:-
Old John Brown and Captain Shore.
Pro-Slavery Forces commanded by:-
H. Clay Pate.

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always cautioning the men, saying "be careful to save your ammunition." Captain Shore squatted himself on the ground and said to John Brown that he was very hungry, to which John Brown made no reply. As Brown went up the ravine to close up the gaps left by the wounding of Carpenter and Thompson, Captain Shore said, "Boys I have to leave you to hunt up some breakfast." He then left the field. Townsley, at that time, requested that he be sent for ammunition, to which John Brown made no reply. Townsley then departed. He was not seen again on the battle-field until after Pate had surrendered. About nine o'clock John Brown surveyed the lines of the Missourians through the glass, and said to Weiner and Bondi, "It seems the Missourians have also suffered from our fire. They are leaving one by one. We must never allow this. We must try and surround them. We must compel them to surrender." He then took the two Moores, Weiner, and Bondi, and ascended a rise south of the Missouri camp. There Brown told the Moores to shoot at the horses and mules exclusively and not to shoot at any men. The Moore boys with four shots killed two mules and two horses. This alarmed the Border-Ruffians, and several of them rushed from the battle-line and mounted their horses, leaving for Westport. Brown then advanced toward the enemy about sixty feet, when he waved his hat, which was a signal for Weiner and Bondi to come up; and the Moore boys were to advance also, but at a slower pace. Upon Captain Brown's advance, those of his men yet in the trenches came out, and all of them advanced toward Pate's line. Frederick Brown would no longer remain with the horses. He was anxious to engage in the battle. He mounted a horse and charged down the Santa Fe Road. He was accompanied by Colonel W. A. Phillips, correspondent of the *New York Tribune*. Frederick Brown went on beyond the Border-Ruffian camp, and called to his father that the Missourians were surrounded. He was fired at repeatedly, but never hit. Captain Pate, supposing Frederick Brown was leading reinforcements, saw no hope of being able to escape, and he sent out a flag of truce. John Brown inquired of the bearer if he was the Captain of the company. Upon being assured that he was not, he ordered a Mr. Lymer, a Free-State prisoner who had been sent with the flag of truce, to return and call the commander. It is said that a Mr. James carried the flag of truce, and some claim that it was Lieutenant Brocket. Whoever the man, he remained with Captain Brown while Mr. Lymer returned for Captain Pate, who went over to the Free-State position with some misgivings. This was about one o'clock. Upon being asked whether he had a proposition to make, he hesitated and said he believed he had not. He then entered upon a long explanation of his authority. John Brown cut this short, saying that he wanted to hear no more about it, ending with the words, "I know exactly what you are, sir. I have a proposition to make to you—that is, your unconditional surrender." As Captain Brown held a large revolver close to Pate's head, there was little that he could do. Brown ordered his men to go to the Ruffian branch of the ravine to prevent the escape of the Missourians, while he went to the camp with Pate. Brocket objected to surrender,

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and talked defiantly, but Brown demanded of Pate that he order Brocket and his men to lay down their arms and surrender. And as the large revolver was thrust a little nearer, Pate ordered them to comply, which they did. Twenty-two Pro-Slavery men surrendered to nine Free-State men. The losses of Captain Pate were as follows: twenty-one surrendered, twenty-seven wounded and escaped. The Free-State men secured a large quantity of arms and ammunition, and recovered much property the Missourians had stolen from the settlers. They got four wagons fairly-well loaded with provisions.

Pate afterwards said, "I was taken prisoner under a flag of truce. I had no alternative but to submit or to run and be shot. I went to take Old Brown and Old Brown took me." The arms of the Missourians were taken from them and they were marched to John Brown's camp on Ottawa Creek. Just as the prisoners were being started on the march to that point, J. B. Abbott arrived on the battle-field with his company of "Stubbs." He had heard the firing in the morning, and had speedily assembled his company and come to the assistance of Brown, but arrived too late to be of any service. Pate afterwards affirmed that he had not been fairly dealt with, and that he was captured under a flag of truce. John Brown cared very little as to how he had captured Pate or any other Border-Ruffian, but there is no evidence beyond the assertion of Pate that he violated a flag of truce. In the *New York Tribune* of July 11, 1856, appears the reply of John Brown to Captain Pate, and this reply is a good account of the battle. It also contains the articles of agreement entered into between Captains Brown and Shore, and Pate. It is here set out:

LAWRENCE, K. T., TUESDAY, JULY 1, 1856.

I have just read in the *Tribune* of June 13, an article from the pen of Capt. H. C. Pate, headed "The Battle of Black Jack Point," (in other words the battle of Palmyra), and take the liberty of correcting a very few of Capt. Pate's statements in reference to that affair, having had personal cognizance of what then occurred. The first statement I would notice is in these words: "At first the enemy squatted down in open prairie and fired at a distance from 300 to 400 yards from us. Their lines were soon broken and they hastily ran to a ravine for shelter." This is wrong, as my company formed a distinct line from Capt. Shore and his men, and without stopping to fire a gun passed at once into a ravine on the enemy's right, where we commenced our fire on them, and where we remained till the enemy hoisted the white flag. I expected Capt. Shore to form his men and occupy a similar position on the left of the enemy, but was disappointed, he halting on the eastern slope above the ravine, in front of the enemy's camp. This I consider as the principal mistake in our part of the action, as Capt. Shore was unable to retain this unfortunate position: and when he with part of his men left it and joined my company, the balance of his company quit the field entirely. One of them was wounded and disabled. Capt. Shore and all his men, I believe, had for a considerable time kept that position, and received the fire of the enemy like the best regular troops (to their praise I would say it) and until they had to a considerable extent exhausted their ammunition. Capt. Pate says: "When the fight commenced our forces were nearly equal." I here say most distinctly, that

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twenty-six officers and men all told, was the entire force on the Free State side who were on the ground at all during the fight or in any way whatever participated in it. Of these Capt. Shore and his company numbered sixteen all told. My company, ten only, including myself. Six of these were of my own family. He says further, "but I saw reenforcements for the Abolitionists were near," &c. Capt. Pate, it seems, could see much better than we; for we neither saw nor received any possible reenforcements until some minutes after the surrender, nor did we understand that any help was near us, and at the time of the surrender our entire force, officers and men, all told had dwindled down to but fifteen men, who were either on or about the field. Capt. Shore and his men had all left the field but eight. One of his men who had left was wounded and was obliged to leave. Of the eight who remained four, whose names I love to repeat, stood nobly by four of my men until the fight was over. The other four had, with two of my company, become disheartened and gone to a point out of reach of the enemy's fire, where, by the utmost exertion, I had kept them to make a little show, and busied one of them in shooting mules and horses to divert the others and keep them from running off. One of my men had been terribly wounded and left, after holding on for an hour afterward. Fifteen Free State men, all told, were all that remained on and near the ground at the time the surrender was made; and it was made to nine men only, myself included in that number. Twenty-five of the enemy, including two men terribly wounded, were made prisoners. Capt. Pate reproaches me with the most dishonorable violation of the rights secured under a flag of truce, but says: "My object was to gain time, and if possible have hostilities suspended for a while." So much, in his own language, for good faith, of which he found me so destitute. Now for my own dishonorable violation of the flag of truce: When I first saw it I had just been to the six discouraged men above named, and started at once to meet it, being at that moment from sixty to eighty rods from the enemy's camp, and met it about half way carried by two men, one a Free State man, a prisoner of theirs; the other was young Turner, of whom Capt. Pate speaks in such high terms. I think him as brave as Capt. Pate represents. Of his disposition and character in other respects I say nothing now. The country and the world may probably know more hereafter. I at once learned from those bearing the flag of truce that in reality they had no other design than to divert me and consume time by getting me to go to their camp to hear explanations. I then told young James to stand by me with his arms, saying, "We are both equally exposed to the fire of both parties," and sent their prisoner back to tell the Captain that, if he had any proposal to make, to come at once and make it. He also came armed to where I and young James were—some forty or fifty rods from either party and I alone. He immediately began to tell about his authority from the General Government, by way of explanation, as he said. I replied that I should listen to nothing of that kind, and that, if he had any proposal to make, I would hear it at once, and that, if he had none for me, I had one for him, and that was immediate and unconditional surrender. I then said to him and young James, (both well armed,) "You must go down to your camp, and there all of you lay down your arms," when the three started, they continuing armed until the full surrender was made. I, an old man, of nearly sixty years, and fully exposed to the weapons of two young men at my side, as well as the fire of their men in the camp, so far, and no further, took them prisoners under their flag of truce. On our way to their camp, as we passed within hailing distance of the eight men who had kept their position firm, I directed them to pass down the ravine in front of the

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enemy's camp, about twenty rods off, to receive the surrender. Such was my violation of the flag of truce. Let others judge. I had not during the time of the above transactions with Capt. Pate and his flag of truce a single man secreted near me who could have possibly have pointed a rifle at Capt. Pate, nor a man nearer than forty rods till we came near their camp. Capt. Pate complains of our treatment in regard to cooking, &c, but forgets to say that, after the fight was over, when I and some of my men had eaten only once in nearly forty-eight hours, we first of all gave Capt. Pate and his men as good a dinner as we could obtain for them, I being the last man to take a morsel. During the time we kept them it was with difficulty I could keep enough men in camp away from their business and their families to guard our prisoners; I being myself obliged to stand guard six hours—between four in the afternoon and six in the morning. We were so poorly supplied with provisions that the best we could possibly do was to let our prisoners use their own provisions; and as for tents, we, for the most part, had none, while we sent a team and brought in theirs, which they occupied exclusively. Capt. Pate and his men had burned or carried off my own tent, where one of my sons lived, with all its contents, provisions &c, some four or five days before the fight. We did not search our prisoners, nor take from them one cent of their money, a watch or anything but arms, horses, and military stores. I would ask Capt. Pate and his men how our people fared at their hands at Lawrence, Osawattamie, Brown's Station and elsewhere, my two sons, John, Jr., and Jason Brown, being of the number? We never had, at any time, near Capt. Pate, or where his men were, to exceed half the number he states. We had only three men wounded in the fight, and all of those have nearly recovered, and not one killed or since dead. See his statement. I am sorry that a young man of good acquirements and fair abilities should, by his own statement, knowingly and wilfully made, do himself much greater injury than he even accuses "Old Brown" of doing him. He is most welcome to all the satisfaction which his treatment of myself and family before the fight, his polite and gentlemanly return for my own treatment of himself and his men have called forth since he was a prisoner, and released by Col. Sumner, can possibly afford to his honorable and ingenuous mind. I have also seen a brief notice of this affair by Lieutenant Brocket, and it affords me real satisfaction to say that I do not see a single sentence in it that is in the least degree characterized by either direct or indirect untruthfulness. I will add that when Capt. Pate's sword and pistols were taken from him at his camp, he particularly requested me to take them into my own care, which I did, and returned them to him when Col. Sumner took him and his men from us. I subjoin a copy of an agreement made with Capt. Shore and myself by Capt. Pate and his Lieutenant Brocket, in regard to exchange of prisoners taken by both parties, which agreement Col. Sumner did not require the Pro-Slavery party to comply with. A good illustration of governmental protection to the people of Kansas from the first:

(Copy)

This is an article of agreement between Captains John Brown, sen., and Samuel T. Shore of the first part, and Capt. H. C. Pate and Lieut. W. B. Brocket of the second part, and witnesses, that in consideration of the fact that the parties of the first part have a number of Capt. Pate's company prisoners that they agree to give up and fully liberate one of their prisoners for one of those lately arrested near Stanton, Osawattamie, and Potawatamie and so on, one of the former for one of the latter alternately until all are liberated. It is understood and agreed by the

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parties that the sons of Capt. John Brown, sen., Capt. John Brown, jr., and Jason Brown, are to be among the liberated parties (if not already liberated) and are to be exchanged for Capt. Pate and Lieut. Brocket respectively. The prisoners are to be brought on neutral ground and exchanged. It is agreed that the neutral ground shall be at or near the house of John T. or Ottawa Jones of this Territory, and that those who have been arrested, and have been liberated, will be considered in the same light as those not liberated, but they must appear in person or answer in writing that they are at liberty. The arms, particularly the side arms, of each one exchanged, are to be returned with the prisoners, also the horses so far as practicable.

(Signed)

JOHN BROWN,
S. T. SHORE,
H. C. PATE,
W. B. BROCKET.

PRAIRIE CITY, KANSAS TER'Y. JUNE 2, A. D. 1856.

Pate records that he and his men were taken to a camp on the Middle Ottawa Creek and closely guarded. They were compelled to cook for themselves, but not unkindly treated, as he says. They remained there three days and nights, until Colonel Sumner came and released them from captivity.* Colonel Sumner was accompanied by a deputy United States Marshal, named William J. Preston. Preston had warrants for a number of John Brown's company. He was told by Colonel Sumner that he might serve these warrants. He seems to have been afraid to do that. Looking the men over, he said, "I do not recognize any one for whom I have warrants." "Then, what are you here for?" asked Colonel Sumner. Brown was ordered to disperse his men, and the troops departed.

Brown did not go far until he again went into camp with his company. The new camp was about half a mile from the one broken up by Colonel Sumner. Bondi was sent into the Pottawatomie settlement to see how matters stood there. He returned and on the 10th of June it was agreed that the company would break up. Salmon Brown had been wounded at the battle of Black Jack, but was by this time almost recovered. Henry Thompson was left at the home of Carpenter. Then, for a time, John Brown and his men disappeared from the theatre of war.

Colonel Sumner also found J. W. Whitfield in the Territory with a force looking for John Brown. Whitfield returned to Missouri, but sent his Captains Reid, Pate, Bell and Jenigen, with their Missouri companies, to sack Osawatomie. Pate had agreed with Colonel Sumner to return to Missouri, but got no farther than Bull Creek, some twelve miles east of Palmyra. There they tried Jacob Cantrell, a Free-State man, for treason to Missouri, as he was a native of that State. He was convicted, led into a ravine and shot. He cried out, "Oh, God, I am shot; I am murdered." He was then shot the second time. This second shot was not fatal, but was followed by a scream of terror. He was shot the third time and killed.

The Free-State forces having been disbanded, there could be no effective resistance at Osawatomie. The Ruffians were led into the town

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by a spy who had been sent in the day before, who pretended to be sick there and had received good treatment. The Ruffians pillaged dwellings and business houses alike. Trunks, drawers, boxes, desks and wardrobes were broken open and ransacked. Rings were torn from the fingers of the women, as well as from their ears. Clothing and even furniture were loaded on horses to be carried to Missouri. Some of this clothing had been stripped from women and children. One eminent writer said: "They ought to have had a petticoat apiece as trophies."

A review of the events of the past few weeks in the Territory, from the Pro-Slavery point of view, may be found in the letter of Colonel John T. Hughes to the *Missouri Republican,* published June 17, 1856. Colonel Hughes was in Doniphan's expedition, of which he became the historian. He was in the Confederate army, and was killed at the battle of Independence, Missouri.

LEAVENWORTH CITY, K. T., JUNE 11, 1856.

Dear Sir:—Your favor of this date has just been received by me, soliciting information in regard to the condition of affairs in the Territory generally, and particularly in regard to the murders committed, by whom committed, the names of the parties killed and wounded as far as recollected, and any other matters of interest touching the existing disturbances in Kansas Territory. I hasten to respond to your inquiries as far as my knowledge extends.

First, then, I have been in the Territory nearly eight weeks, as one of the clerks of the United States Investigating Committee, and during the time have been to Lecompton, Lawrence, Leavenworth City, Westport and other places, where said committee have been holding their sessions, and have been an eye witness of many of the high-handed outrages perpetrated by the abolitionists upon citizens of the Territory and acts of resistance against the laws both of the Territory and of the United States.

I was present in the town of Lawrence on the 23d of April last, when Sheriff Jones was shot, though he had a body guard of twelve or thirteen United States Dragoons with him at the time for his protection and to assist in enforcing the laws. The wound was a deep and dangerous one, the ball taking effect near the spine and ranging between the shoulder blade. I saw the wound probed and dressed by the Surgeons. No one expected him to recover. I saw the rabble in the streets of Lawrence that day whilst Jones had a man arrested, and assisted by the United States troops, heaping curses and threats upon him, such as "damn him, why don't you kill him Hunt?" why don't you shoot him Hunt? damn such laws; damn such officers; damn such a country; and damn such a President." I saw brick bats thrown at the officers of the law and the Lieutenant who was assisting in the execution of the laws. This Hunt was the Prisoner. All these things were done in Lawrence on the 23d day of April last in my presence, and other outrageous acts too numerous to mention.

I was present on the 8th of May in Lawrence when the United States Marshal attempted to arrest Ex-Governor A. H. Reeder, by virtue of a writ of attachment issued by Judge Lecompte, of the First Judicial District of Kansas Territory, United States Court, and was present and heard Mr. Reeder tell the Marshal that "if he laid his hands on him to execute the writ, he would do it at the peril of his life," and the armed populace shouted and backed Reeder in his position and threatened the Marshal's life, and so he was compelled to desist and return the writ to

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the Court not executed. There were two hundred men armed supporting and giving "aid and comfort" to Reeder in setting the law at defiance.

On the 24th of April, in a public meeting held in Lawrence, to express disapproval of and indignation at, the shooting of Sheriff Jones, Charles Robinson made a speech, and in his speech declared that it was his opinion that Jones was shot by a pro-slavery man, thus adding insult to injury, and boldly asserted that the free State party never meant to submit to the laws of the Territory, and used this damnable language; "I had rather obey the laws emanating from hell, than submit to the laws of the Territory," that they intended to resist them to a "bloody issue." Since that time there has been no peace in the Territory. On the 21st of May, the indignant citizens of Kansas Territory, who are striving to uphold the laws, destroyed the Free State hotel and two Abolition printing presses in Lawrence. Since that time the Free State men, or rather the Abolitionists who refuse obedience to the laws, have organized guerrilla parties, and spread terror and dismay through the country. They have swept the country south of the Kansas river with fire and sword.

On Saturday, the 24th day of May, a party of them, in Franklin county, murdered a Mr. Wilkerson, old Mr. Doyle and two of his sons, and two of the Shermans, all in the same neighborhood. These murders were committed in the most shocking and barbarous manner, and it is said that some of them, were dreadfully mutilated before they were killed by cutting off their hands, noses, ears and the like. Thus it is that men have been dragged from their beds at the dead hour of night, and their throats cut amidst the cries and entreaties of their wives and children, and that without mercy. Some time last week an attack was made on the town of Franklin, near the Wakarusa, by these guerrillas, who, after a sharp engagement, retired. A watchman by the name of Tishmaker or Tishmonger was killed on our side.

On the 2d day of June, Captain H. G. Pate, and twenty-eight men, were out in the neighborhood of Black-Jack Point, near the Santa Fe road, forty miles from Westport, for the purpose of executing certain writs upon those who had violated the laws, and was attacked by a guerrilla party of Abolitionists, commanded by one Brown, numbering one hundred and twenty-five men. After a sharp conflict, in which Capt. Pate had some of his men severely wounded, (and as it is believed, two of them mortally wounded,) he hoisted a flag of truce. Capt. Pate sent one man and a prisoner whom he had with him, to carry the flag of truce to the Captain of the Assailants. They were sent back with the demand that Captain Pate should bear the flag himself. He did so, and when he came up under the flag of truce, Brown ordered twelve of his men to seize him and hold him as a prisoner of war. They then held a cocked pistol to Capt. Pate's breast, and told him if he did not order his men to surrender, they would blow him through. Thus he was deceived and entrapped and compelled to surrender, except six of his men who made good their escape amidst a shower of balls. One of these six men was wounded in the side. I saw the bullet when taken out.

I saw some three or four of Col. Buford's men—Southern men—who were made prisoners whilst driving wagons along the highway. They told me that the Abolitionists had taken all their cattle, robbed their wagons, taken their arms and all the money they had, and then heaped every possible insult upon them. That they tied their hands behind their backs and took them out to hang them once or twice, but did not; that they would grit their teeth and shake their fists in their faces whilst they were prisoners, and say, "you damned Southerners, this is the way we will serve you all."

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I saw an old man by the name of Bourne, from the Wakarusa a few days ago, and he told me that the Abolition guerrillas had taken all his oxen, cattle, horses, and robbed him of all he had, and driven him and his family clean out of the country and burnt his house.

Mr. Joseph Bernard had his provision store robbed and everything rifled to the extent of 8 or $10,000, some few days ago out southwest. His buildings were burned as I am told. I have seen in Westport, within the last week, a good number of families who were driven out of the Territory by these desperadoes, and who were poor, bereft, penniless and seeking refuge from their relentless enemies, within the limits of the State. Some of these families consisted of women and children only, some of whom said that their husbands were killed, and others that they were prisoners, or were driven and pursued out of the country. These scenes of suffering and distress I have witnessed in a civilized country, and such will ever be the calamities of a civil war, or rather a social war, such as that now waged in Kansas Territory. All of these horrid acts have been committed in the "name of the Northern army."

Again, one of the Donelsons, with a small company of 5 or 6 men, was fired upon by these bandits, and one of the men had his horse killed under him, and another was slightly wounded or grazed about the head. This happened last week. It is estimated that 23 or 24 of our men, I mean of the party who sustain the laws of the territory, have been killed or murdered, and made away with recently, and perhaps a greater number than this. The pro-slavery party have doubtless, in self-defense, killed and wounded a number of the assailants. Some one or two of them are known to have been killed in the attack on Franklin, and in the battle with Capt. Pate, they lost three killed and several wounded.

I saw the old lady Doyle, widow of the one who was murdered in Franklin county. She came before the United States Kansas Investigating Committee, and desired to give her evidence to the same purport as the foregoing statement which I have made, but her testimony was ruled out by the majority of the Committee, and her affidavit was taken before a Justice of the Peace by Geo. King, and will be printed with the evidence as ruled out testimony. Her story is indeed a lamentable one. She is an object of much pity, having lost all, husband and two sons, except her last and only son, a lad of some 14 years old, and this one was only spared to her after prayers and tears, and entreaties. When the bandits were in the act of leading this last one out for the purpose of killing him also, the poor old woman, already overcome with anguish, exclaimed, as she states in her affidavit, "Oh men, will you not spare me this last and only child? Are you not flesh and blood and have you no children?" One of these men, melted with the touching appeal of the poor woman, said he had a child, and that the boy should not be killed. But I have not time to give you further details of the horrid war which has been raging in Kansas for some weeks and which if it be not speedily checked, may eventually widen its circle, and involve all the States of the Union in a desolating civil war, and if it shall ever come, which may God avert, it will be one of the bloodiest upon the records of time.

Governor Shannon, this morning while at Kansas City, received a dispatch from President Pierce, commanding him emphatically to suppress the war forthwith, and disperse and disband and disarm all parties, and restore peace to the country. Shannon has gone up to Fort Leavenworth, and will put himself at the head of the troops, and use all his authority to quell and quiet the disturbances in the Territory. I hope he may succeed.

Very respectfully, etc., your friend and obedient servant.

(Signed) JOHN T. HUGHES.

COL. H. G. ELLIOTT, now in Kansas Territory.

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